

PI
235
421

IIT Chicago Kent

JUL 26 1993

College of Law Library



1993

Illinois Register

Rules of Governmental Agencies

Volume 17, Issue 30 — July 23, 1993

Pages 11279-11954

Index Department
Administrative Code Div.
Springfield, IL
(217) 782-9786

published by
George H. Ryan
Secretary of State



Printed on recycled paper

TABLE OF CONTENTS

PROPOSED RULES

INSURANCE, DEPARTMENT OF	
Long-Term Care Insurance; 50 Ill. Adm. Code 2012	11279
PROFESSIONAL REGULATION, DEPARTMENT OF	
Funeral Directors & Embalmers Act; 68 Ill. Adm. Code 1250	11315
Ill. Architecture Practice Act of 1989; 68 Ill. Adm. Code 1150	11337
PUBLIC HEALTH, DEPARTMENT OF	
Podiatric Scholarship & Residency Programs Code; 77 Ill. Adm. Code 593	11352
RACING BOARD, ILLINOIS	
Licensing; 11 Ill. Adm. Code 502	11367
Stewards; 11 Ill. Adm. Code 1402	11372
REHABILITATION SERVICES, DEPARTMENT OF	
Advisory Councils; 89 Ill. Adm. Code 515	11378
Appeals & Hearings; 89 Ill. Adm. Code 510	11380
Application; 89 Ill. Adm. Code 557	11382
Assessment for Determining Eligibility & Rehabilitation Needs;	
89 Ill. Adm. Code 553	11384
Auxiliary Aids; 89 Ill. Adm. Code 540, Repeal of	11386
Client Financial Participation; 89 Ill. Adm. Code 562	11388
Closure; 89 Ill. Adm. Code 617	11390
Comparable Benefits; 89 Ill. Adm. Code 567	11392
Criteria For the Evaluation of Programs of Services in Community Rehabilitation Programs;	
89 Ill. Adm. Code 530	11394
Eligibility; 89 Ill. Adm. Code 552, Repeal of	11396
Ill. Center for Rehabilitation & Education/Community Residential Services for the Blind	
& Visually Impaired; 89 Ill. Adm. Code 730	11398
Impartial Hearing Officer Standards; 89 Ill. Adm. Code 1177	11400
Individualized Written Rehabilitation Program (IWRP); 89 Ill. Adm. Code 572	11402
Maintenance; 89 Ill. Adm. Code 602, Repeal of	11404
Medical, Psychological, & Related Services;	
89 Ill. Adm. Code 587, Repeal of	11406
Other Services; 89 Ill. Adm. Code 607, Repeal of	11408
Placement; 89 Ill. Adm. Code 612, Repeal of	11410
Post-Employment Services; 89 Ill. Adm. Code 622, Repeal of	11412
Secondary Transitional Experience; 89 Ill. Adm. Code 657, Repeal of	11414
Services; 89 Ill. Adm. Code 590	11416
Tools, Equipment, Supplies & Initial Stock;	
89 Ill. Adm. Code 597, Repeal of	11420
Training Services; 89 Ill. Adm. Code 592, Repeal of	11422

ADOPTED RULES

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF	
Triplicate Prescription Control Program; 77 Ill. Adm. Code 2080	11424
AUDITOR GENERAL	
Americans With Disabilities Act Grievance Procedure; 4 Ill. Adm. Code 1125	11435
CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF	
Local Government Health Plan; 80 Ill. Adm. Code 2160	11441
CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	
Child Custody Investigations & Supervision Related to Custodian or Visitation	
Judgements; 89 Ill. Adm. Code 330	11457
ENVIRONMENTAL PROTECTION AGENCY	
Permit Fees for Installing or Extending Sewers; 35 Ill. Adm. Code 320	11461
INSURANCE, DEPARTMENT OF	
Minimum Standards for Individual & Group Medicare Supplement Insurance;	
50 Ill. Adm. Code 2008	11469
PUBLIC AID, DEPARTMENT OF	
Developmental Disabilities Service; 89 Ill. Adm. Code 144	11480
REVENUE, DEPARTMENT OF	
Riverboat Gambling; 86 Ill. Adm. Code 3000	11510
Senior Citizens & Disabled Persons Property Tax Relief & Pharmaceutical Assistance	
Act; 86 Ill. Adm. Code 530	11566
SECRETARY OF STATE	
Business Corporation Act; 14 Ill. Adm. Code 150	11571
EMERGENCY RULES	
REHABILITATION SERVICES, DEPARTMENT OF	
Advisory Councils; 89 Ill. Adm. Code 515	11589
Appeals & Hearings; 89 Ill. Adm. Code 510	11608
Application; 89 Ill. Adm. Code 557	11652
Assessment for Determining Eligibility & Rehabilitation Needs;	
89 Ill. Adm. Code 553	11657
Auxiliary Aids; 89 Ill. Adm. Code 540, Repeal of	11667
Client Financial Participation; 89 Ill. Adm. Code 562	11676
Closure; 89 Ill. Adm. Code 617	11686
Comparable Benefits; 89 Ill. Adm. Code 567	11696
Criteria for the Evaluation of Programs of Services in Community Rehabilitation Programs;	
89 Ill. Adm. Code 530	11701
Eligibility; 89 Ill. Adm. Code 552, Repeal of	11733
Ill. Center for Rehabilitation & Education/Community Residential Services for the Blind	
& Visually Impaired; 89 Ill. Adm. Code 730	11745
Impartial Hearing Officer Standards; 89 Ill. Adm. Code 1177	11766
Individualized Written Rehabilitation Program (IWRP); 89 Ill. Adm. Code 572	11770
Maintenance; 89 Ill. Adm. Code 602, Repeal of	11780

EMERGENCY RULES (CONT'D)

REHABILITATION SERVICES, DEPARTMENT OF (CONT'D)

Medical, Psychological, & Related Services; 89 Ill. Adm. Code 587, Repeal of	11784
Other Services; 89 Ill. Adm. Code 607, Repeal of	11796
Placement; 89 Ill. Adm. Code 612, Repeal of	11801
Post-Employee Services; 89 Ill. Adm. Code 622, Repeal of	11804
Secondary Transitional Experience; 89 Ill. Adm. Code 657, Repeal of	11808
Services; 89 Ill. Adm. Code 590	11812
Tools, Equipment, Supplies & Initial Stock; 89 Ill. Adm. Code 597, Repeal of	11856
Training Services; 89 Ill. Adm. Code 592, Repeal of	11864

AGENCY NOTICES OF MODIFICATION, WITHDRAWAL OR REFUSAL TO PROPOSED RULES

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

Triplicate Prescription Control Program; 77 Ill. Adm. Code 2080, Modification	11872
---	-------

NOTICE OF REQUEST FOR CORRECTION

SAVINGS AND RESIDENTIAL FINANCE, COMMISSIONER OF

Savings Bank Act; 38 Ill. Adm. Code 1075	11873
--	-------

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

STATE POLICE MERIT BOARD, DEPARTMENT OF

Procedures of the Department of State Police Merit Board; 80 Ill. Adm. Code 150	11895
---	-------

NOTICE OF EXPEDITED CORRECTION

CORRECTIONS, DEPARTMENT OF

Rights & Privileges; 20 Ill. Adm. Code 525	11903
--	-------

NOTICE OF PUBLIC INFORMATION

REVENUE, DEPARTMENT OF

Index of Letter Rulings (First Quarter 1993) (ROT)	11908
--	-------

REGULATORY FLEXIBILITY IMPACT ANALYSIS COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

REVENUE, DEPARTMENT OF

Income Tax; 86 Ill. Adm. Code 100	11930
-----------------------------------	-------

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received	11931
-------------------------	-------

NOTICE PURSUANT TO P.A. 87-823

ABANDONED MINED LANDS RECLAMATION COUNCIL

Abandoned Mined Lands Reclamation; 62 Ill. Adm. Code 2501	11932
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1500	11933
Selection of Contractors & Consultants; 44 Ill. Adm. Code 1150	11934

ATTORNEY GENERAL

Compliance With the Freedom of Information Act; 2 Ill. Adm. Code 576	11935
Rulemaking & Organization; 2 Ill. Adm. Code 575	11936

CRIMINAL JUSTICE INFORMATION AUTHORITY, ILLINOIS

Operating Procedures for the Administration of Federal Funds;	
20 Ill. Adm. Code 1520	11937

EAST ST. LOUIS COMMUNITY COLLEGE, BOARD OF TRUSTEES OF

Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5100	11938
State Community College of East St. Louis; 23 Ill. Adm. Code 1600	11939

ENVIRONMENTAL PROTECTION AGENCY

Technical Policy Statements; 35 Ill. Adm. Code 653	11940
--	-------

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Hearing Procedures; 80 Ill. Adm. Code 1105	11941
Public Information, Rulemaking, Organization & Personnel; 2 Ill. Adm. Code 2675	11942
Unfair Labor Practice Procedures; 80 Ill. Adm. Code 1120	11943

PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD, DEPARTMENT OF

Processing, Classification Policies & Review Criteria; 77 Ill. Adm. Code 1110	11944
---	-------

STATE POLICE, DEPARTMENT OF

Law Enforcement Agencies Data System (LEADS); 20 Ill. Adm. Code 1240	11945
--	-------

EXECUTIVE ORDERS AND PROCLAMATIONS

PROCLAMATIONS

93-282 Disaster Areas - Counties Along Upper Mississippi River Basin, Rock River And Chain-of-Lakes Area	11946
93-283 Disaster Areas - Counties Along Rock River And Lower Mississippi River Basin	11946
93-284 Christian Heritage Week	11947
93-285 Jaycee Haunted House Week	11947
93-286 Bell Ringing Day	11948
93-287 B'Nai B'Rith 150th Anniversary Day	11948
93-288 Chatham Jaycees Sweet Corn Festival 20th Anniversary Day	11949
93-289 Clark County Citizens Expressed Gratitude	11949
93-290 Coles County Citizens Expressed Gratitude	11950
93-291 DeWitt County Citizens Expressed Gratitude	11950
93-292 Edgar County Citizens Expressed Gratitude	11950
93-293 Greathouse Family Reunion Day	11951
93-294 Morgan County Citizens Expressed Gratitude	11951

PROCLAMATIONS (CONT'D)

93-295 Shelby County Citizens Expressed Gratitude	11952
93-296 Oak Park Sertoma Day	11952
93-297 Professional Security Month	11953
93-298 Vocational Education Week	11953

CUMULATIVE INDEX

1993 Index - Issue #30	CI-1
----------------------------------	------

SECTIONS AFFECTED INDEX

1993 Index - Issue #30	SAI-1
----------------------------------	-------

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Long-Term Care Insurance

2) Code Citation: 50 Ill. Adm. Code 2012

3) Section Numbers:

<u>Proposed Action:</u>
2012.10 Amended
2012.20 Amended
2012.25 New Section
2012.30 Amended
2012.40 Amended
2012.50 Amended
2012.55 New Section
2012.60 Amended
2012.65 New Section
2012.70 Amended
2012.80 Amended
2012.90 Amended
2012.95 New Section
2012.100 Amended
2012.110 Amended
2012.115 New Section
2012.120 Amended
2012.122 New Section
2012.124 New Section
2012.126 New Section
2012.130 Amended
2012.140 New Section
2012.150 New Section
2012.Exhibit D New Section

4) Statutory Authority: Implementing and authorized by the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, par. 613 et seq.), [215 ILCS 5/1 et seq.].

5) A Complete Description of the Subjects and Issues Involved:
This Part regulates the sale of long-term care insurance to Illinois citizens. This Part promotes the public interest by protecting applicants for long-term care insurance from unfair or deceptive sales or enrollment practices by regulating long-term care insurance policy practices and provisions, disclosure provisions, replacement requirement, policy filings and required outlines of coverage. The Department has initiated these amendments to make our regulation consistent with the National Association of Insurance Commissioners (NAIC) model.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

6) Will this proposed rule replace emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed Amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This amendment will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Tim Cena, Managing Attorney
Department of Insurance
S.O.I.C.
100 West Randolph
Suite 15-100
Chicago, Illinois 60601

12) Initial Regulatory Flexibility Analysis: The Department has determined that this amendment will not affect small businesses.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER Z: ACCIDENT AND HEALTH INSURANCE

PART 2012
LONG-TERM CARE INSURANCE

Section	Purpose
2012.10	Applicability and Scope
2012.20	Renewability
2012.25	Definitions
2012.30	Policy Definitions and Provisions
2012.40	Unintentional Lapse
2012.50	Required Disclosure Provisions
2012.55	Prohibition Against Post Claims Underwriting
2012.60	Minimum Standards for Home Health and Community
2012.65	Care Benefits in Long-Term Care Insurance Policies
2012.70	Requirement to Offer Inflation Protection
2012.80	Requirements for Application Forms and Replacement
2012.90	Coverage
2012.95	Reporting Requirements
2012.100	Filing Requirement
2012.110	Loss Ratio
2012.115	Filing Requirements for Advertising
2012.120	Reserve Standards
2012.122	Standards for Marketing
2012.124	Appropriateness of Recommended Purchase
2012.126	Prohibition Against Preexisting Conditions and
	Probationary Periods in Replacement Policies or
	Certificates
2012.130	Standard Format Outline of Coverage Requirements
2012.140	Requirement to Deliver Shopper's Guide
2012.150	Penalties
2012. Exhibit A	Replacement Notice for Other Than Direct
	Response Solicitations
2012. Exhibit B	Replacement Notice for Direct Response
	Solicitations
2012. Exhibit C	Standard Format Outline of Coverage
2012. Exhibit D	Rescission Reporting Format

AUTHORITY: Implementing and authorized by the Illinois Insurance Code (Ill. Rev. Stat. 198791, Ch. 73, par. 613 963A-1 et seq., as amended by P.A.-85-1172, effective August-12, 1988)

[215 ILCS 5/351A-1 et seq.].

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

SOURCE: Adopted at 14 Ill. Reg. 10345, effective June 15, 1990; amended at 17 Ill. Reg. _____, effective _____.

Section 2012.10 Purpose

The purpose of this regulation Part is to implement Article XIX of the Illinois Insurance Code, to promote the public interest, to promote the availability of long-term care insurance coverage, to protect applicants for long-term care insurance from unfair or deceptive sales or enrollment practices, to facilitate public understanding and comparison of long-term care insurance coverages and to facilitate flexibility and innovation in the development of long-term care insurance.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 2012.20 Applicability and Scope

Except as otherwise specifically provided, this regulation Part applies to all long-term care insurance policies delivered or issued for delivery in this State by any insurer on or after the effective date of this Part.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 2012.25 Renewability

a) For long-term care health insurance policies or certificates include one of the following permissible policy renewability provisions:

1) Policies and certificates that are guaranteed renewable shall contain the following statement:
RENEWABILITY: THIS POLICY [CERTIFICATE] IS GUARANTEED RENEWABLE. This means you have the right, subject to the terms of your policy, [certificate] to continue this policy as long as you pay your premiums on time. [Company Name] cannot change any of the terms of your policy on its own, except that, in the future, IT MAY INCREASE THE PREMIUM YOU PAY.

2) Policies and certificates that are noncancellable shall contain the following statement:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

RENEWABILITY: THIS POLICY IS NONCANCELLABLE. This means that you have the right, subject to the terms of your policy, to continue this policy as long as you pay your premiums on time. [Company Name] cannot change any of the terms of your policy on its own and cannot change the premium you currently pay. However, if your policy contains an inflation protection feature where you choose to increase your benefits, [Company Name] may increase your premium at that time for those additional benefits.

- b) For group coverage, specifically include continuation/conversion provisions applicable to the certificate and group policy.
- c) Include waiver of premium provisions or state that there are not such provisions.
- d) State whether or not the company has a right to change premium, and if such right exists, include each circumstance under which premium may change.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2012.30 Definitions

- h) "Accelerated Life Product" means a policy, contract, rider endorsement or amendment which contains benefits providing benefits payment from life or endowment or annuity benefits in advance of the time they would otherwise be payable at anytime during the insured's lifetime as an indemnity for long term care.
- b) "applicant" as defined in Section 351A-1 of the Illinois Insurance Code means:
 - 1A) in the case of an individual long-term care insurance policy, the person who seeks to contract for benefits;
 - 2B) in the case of a group long-term care insurance policy, the proposed certificateholder.
- e) "Certificate" as defined in Section 351A-1 of the Illinois Insurance Code (Ill. Rev. Stat. 198791, ch.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

73, par. 963A-1) [215 ILCS 5/351A-1] means any certificate issued under a group long-term care insurance policy, which policy has been delivered or issued for delivery in this State.

- a) "Director" as defined in Section 351A-1 of the Illinois Insurance Code (Ill. Rev. Stat. 198791, ch. 73, par. 963A-1) [215 ILCS 5/351 A-1] means the Director of Insurance.

- e) "Group Long-Term Care Insurance" as defined in Section 351A-1 of the Illinois Insurance Code (Ill. Rev. Stat. 198791, ch. 73, par. 963A-1) [215 ILCS 5/351 A-1] means a long-term care insurance policy which is delivered or issued for delivery in this State and issued to one of the following:

- 1A) One or more employers or labor organizations, or to a trust or to the trustee(s) of a fund established by one or more employers or labor organizations, or a combination thereof, for employees or former employees or a combination thereof, or for members or former members, or a combination thereof, of the labor organizations.

- 2B) Any professional, trade or occupational association for its members or former or retired members, or combination thereof, if such association:

- Ai) Is composed of individuals all of whom are or were actively engaged in the same profession, trade or occupation; and

- Bi) Has been maintained in good faith for purposes other than obtaining insurance.

- 3C) An association or a trust or the trustee(s) of a fund established, created or maintained for the benefit of members of one or more associations. Prior to advertising, marketing or offering such policy within this State, the association or associations, or the insurer of the association or associations, shall file evidence with the Director that the association or associations have at the outset a minimum of 100 members and have been organized and maintained in good faith for purposes other than that of obtaining insurance; have been

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

in active existence for at least one year; and have a constitution and by-laws which provide that:

- A) the association or associations hold regular meetings not less than annually to further purposes of the members;
 - B) except for credit unions, the association or associations collect dues or solicit contributions from members; and
 - C) the members have voting privileges and representation on the governing board and committees.
- 4A) Thirty days after such filing the association or associations will be deemed to satisfy such organizational requirements, unless the Director makes a finding that the association or associations do not satisfy those organizational requirements.
- 5B) A group other than as described in subparagraphs 1A), 2B) or 3C) of subsection-e) under the definition of Group Long-Term Care Insurance, subject to a finding by the Director that:
- A) The issuance of the group policy is not contrary to the best interest of the public;
 - B) The issuance of the group policy would result in economies of acquisition or administration; and
 - C) The benefits are reasonable in relation to the premiums charged.
- Biv) The standards to be used by the Director for determining whether a group is eligible shall include, but not be limited to: the policy shall not contain broad or misleading exclusions; premiums for group policies are less than premiums for individual policies; and the loss ratio complies with the requirements of Section 2012.110.

- g) "Insurer" includes insurance companies, fraternal benefit societies, nonprofit health, hospital, and

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

medical service corporations, prepaid health plans, health maintenance organizations or any similar organization.

- a) "Long-Term Care Insurance" as defined in Section 351A-1 of the Illinois Insurance Code (Ill. Rev. Stat. 198791 ch. 73, par. 963A-1) [215 ILCS 5/351 a-1] means any accident and health insurance policy or rider advertised, marketed, offered or designed to provide coverage for not less than 12 consecutive months for each covered person on an expense incurred, indemnity, prepaid or other basis; for one or more necessary or medically necessary diagnostic, preventive, therapeutic, rehabilitative, maintenance, or personal care services, provided in a setting other than an acute care unit of a hospital. Such term includes group and individual life insurance policies or riders, which provide directly or as a supplement, long-term care insurance. Such term also includes a policy or rider which provides for payment of benefits based upon cognitive impairment or the loss of function capacity. Such insurance may be issued by insurers, fraternal benefit societies, nonprofit health, hospital, and medical service corporations, prepaid health plans, health maintenance organizations or any similar organization. Long-term care insurance may include benefits for care and treatment in accordance with the tenets and practices of any established church or religious denomination which teaches reliance on spiritual treatment through prayer for healing. Long-term care insurance shall not include any insurance policy which is offered primarily to provide basic Medicare supplement coverage, basic hospital expense coverage, basic medical-surgical expense coverage, hospital confinement, indemnity coverage, major medical expense coverage, disability income or related asset protection coverage, accident only coverage, specified disease or specified accident coverage, or limited benefit health coverage.
- f) "Policy" as defined in Section 351A-1 of the Illinois Insurance Code (Ill. Rev. Stat. 198791, ch. 73, par. 963A-1) [215 ILCS 5/351A-1] means any policy, contract, subscriber agreement, rider or endorsement delivered or issued for delivery in this State by an insurer.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Section 2012.40 Policy Definitions

No insurance policy or certificate may be advertised, solicited, delivered or issued for delivery in this State as a long-term care policy unless the policy or subscriber contract contains definitions or terms which conform to the requirements of this Section.

Acute Condition shall be defined as that the individual is medically unstable. Such individual requires frequent monitoring by medical professionals, such as physicians and registered nurses, in order to maintain his or her health status.

Adult Day Care shall be defined as a program for six (6) or more individuals, of social and health-related services provided during the day in a community group setting for the purpose of supporting frail, impaired elderly or other disabled adults who can benefit from care in a group setting outside the home.

a) All providers of services, including but not limited to "skilled nursing facility," "intermediate care facility," "convalescent nursing home," "personal care facility," and "home care agency" shall be defined in relation to the services and facilities required to be available and the licensure or degree status of those providing or supervising the services. The definition may require that the provider be appropriately licensed or certified.

Home Health Care Services means medical and nonmedical services provided to ill, disabled or inform persons in their residences. Examples of such services may include but are not limited to homemaker services, assistance with activities of daily living and respite care services.

a) "Medicare" shall be defined as "The Health Insurance for the Aged Act, Title XVIII of the Social Security Amendments of 1965 as then Constituted or Later Amended" 42 U.S.C.A. Section 1395 et seq., including the "Medicare Catastrophic Coverage Act of 1988."

b) "Mental or Nervous Disorder" shall not be defined to include more than neurosis, psychoneurosis, psychopathy, psychosis, or mental or emotional disease or disorder of any kind.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Personal Care shall be defined as the provision of hands-on services to assist an individual with activities of daily living, including, but not limited to bathing, eating, dressing, transferring and toileting.

e) "Skilled Nursing Care," "Intermediate Care," "Personal Care," "Home Care," and other services shall be defined in relation to the level of skill required, the nature of the care and the setting in which care must be delivered.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2012.50 Policy Practices and Provisions

a) Renewability. The terms "guaranteed renewable" and "noncancellable" shall not be used in any group and individual direct response or individual long-term care insurance policy or certificate without explanatory language in accordance with the disclosure requirements of Section 2012.70 and Section 2015.25 of this Part.

1) No such policy or certificate issued to an individual shall contain renewal provisions less favorable to the insured than "guaranteed renewable."

2) The term "guaranteed renewable" may be used only when the insured has the right to continue the long-term care insurance in force by the timely payment of premiums and when the insurer has no unilateral right to make any change in any provision of the policy or rider while the insurance is in force, and cannot decline to renew, except that rates may be revised by the insurer on a class basis.

3) The term "noncancellable" may be used only when the insured has the right to continue the long-term care insurance in force by the timely payment of premiums during which period the insurer has no right to unilaterally make any change in any provision of the insurance or in the premium rate.

b) Limitations and Exclusions. No policy may be delivered or issued for delivery in this State as long-term care insurance if such policy limits or excludes coverage by

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

type of illness, treatment, medical condition or accident, except as follows:

- 1) Preexisting conditions or diseases;
- 2) Mental or nervous disorders; however, this shall not permit exclusion or limitation of benefits on the basis of Alzheimer's Disease or senile dementia;
- 3) Alcoholism and drug addiction;
- 4) Illness, treatment or medical condition arising out of:
 - A) war or act of war (whether declared or undeclared);
 - B) participation in a felony, riot or insurrection;
 - C) service in the armed forces or units auxiliary thereto;
 - D) suicide (sane or insane), attempted suicide or intentionally self-inflicted injury; or
 - E) aviation (this exclusion applies only to non-fare paying passengers).
- 5) Treatment provided in a government facility (unless otherwise required by law), services for which benefits are available under Medicare or other governmental program (except Medicaid), any state or federal workers' compensation, employer's liability or occupational disease law, or any motor vehicle no-fault law, services provided by a member of the covered person's immediate family and services for which no charge is normally made in the absence of insurance.
- 6) This subsection (b) is not intended to prohibit exclusions and limitations for payment of services provided outside the United States.
- c) Extension of Benefits. Termination of long-term care insurance shall be without prejudice to any benefits

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

payable for institutionalization if such institutionalization began while the long-term care insurance was in force and continues without interruption after termination. Such extension of benefits beyond the period the long-term care insurance was in force may be limited to the duration of the benefit period, if any, or to payment of the maximum benefits and may be subject to any policy waiting period, and all other applicable provisions of the policy.

d) Continuation or Conversion

- 1) Group long-term care insurance issued in this state on or after the effective date of this Section shall provide covered individuals with a basis for continuation or conversion of coverage.
- 2) For the purposes of this Section, "a basis for continuation of coverage" means a policy provision which maintains coverage under the existing group policy when such coverage would otherwise terminate and which is subject only to the continued timely payment of premium when due. Group policies which restrict provision of benefits and services to, or contain incentives to use certain providers and/or facilities may provide continuation benefits which are substantially equivalent to the benefits of the existing group policy. The Director, in making a determination as to the substantial equivalency of benefits, shall take into consideration the differences between managed care and non-managed care plans, including, but not limited to, provider system arrangements, service availability, benefit levels and administrative complexity.
- 3) For the purposes of this Section, "a basis for conversion of coverage" means a policy provision that an individual whose coverage under the group policy would otherwise terminate or has been terminated for any reason, including discontinuance of the group policy in its entirety or with respect to an insured class, and who has been continuously insured under the group policy (and any group policy which it replaced), for at least six months immediately prior to termination, shall be entitled to the issuance of a converted policy by the

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

insurer under whose group policy the individual is covered, without evidence of insurability.

- 4) For the purposes of this Section, "converted policy" means an individual policy of long-term care insurance providing benefits identical to or substantially equivalent to or in excess of those provided under the group policy from which conversion is made. Where the group policy from which conversion is made restricts the provision of benefits and services, or contains incentives to use certain providers and/or facilities, the Director, in making a determination as to the substantial equivalency of benefits, shall take into consideration the differences between managed care and non-managed care plans, including, but not limited to, provider system arrangements, service availability, benefit levels and administrative complexity.
- 5) Written application for the converted policy shall be made and the first premium due, if any, shall be paid as directed by the insurer not later than thirty-one days after termination of coverage under the group policy. The converted policy shall be issued effective on the day following the termination of coverage under the group policy, and shall be guaranteed renewable.
- 6) Unless the group policy from which conversion is made replaced previous group coverage, the premium for the converted policy shall be calculated on the basis of the insured's age at inception of coverage under the group policy from which conversion is made. Where the group policy from which conversion is made replaced previous group coverage, the premium for the converted policy shall be calculated on the basis of the insured's age at inception of coverage under the group policy replaced.
- 7) Continuation of coverage or issuance of a converted policy shall be mandatory, except where:
 - A) Termination of group coverage resulted from an individual's failure to make any required payment of premium or contribution when due; or

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- B) The terminating coverage is replaced not later than thirty-one days after termination, by group coverage effective on the day following the termination of coverage:
 - i) Providing benefits identical to or benefits equivalent in design and actuarially equivalent in value in excess of those provided by the terminating coverage; and
 - ii) The premium for which is calculated in a manner consistent with the requirements of subsection (d) (6) of this Section.
- 8) Notwithstanding any other provision of this Section, a converted policy issued to an individual who at the time of conversion is covered by another long-term care insurance policy which provides benefits on the basis of incurred expenses, may contain a provision which results in a reduction of benefits payable if the benefits provided under the additional coverage, together with the full benefits provided by the converted policy, would result in payment of more than 100 percent of incurred expenses. Such provision shall only be included in the converted policy if the converted policy also provides for a premium decrease or refund which reflects the reduction in benefits payable.
- 9) The converted policy may provide that the benefits payable under the converted policy, together with the benefits payable under the group policy from which conversion is made, shall not exceed those that would have been payable had the individual's coverage under the group policy remained in force and effect.
- 10) Notwithstanding any other provision of this section, any insured individual whose eligibility for group long-term care coverage is based upon his or her relationship to another person, shall be entitled to continuation of coverage under the group policy upon termination of the qualifying relationship by death or dissolution of marriage.
- 11) For the purposes of this Section: a "Managed-Care Plan" is a health care or assisted living

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

arrangement designed to coordinate patient care or control costs through utilization review, case management or use of specific provider networks.

e) Discontinuance and Replacement

If a group long-term care policy is replaced by another group long-term care policy issued to the same policyholder, the succeeding insurer shall offer coverage to all persons covered under the previous group policy on its date of termination. Coverage provided or offered to individuals by the insurer and premiums charged to persons under the new group policy.

- 1) Shall not result in any exclusion for preexisting conditions that would have been covered under the group policy being replaced; and
- 2) Shall not vary or otherwise depend on the individual's health or disability status, claim experience or use of long-term care services.

f) The premiums charged to an insured for long-term care insurance shall not increase due to either:

- 1) The increasing age of the insured at ages beyond sixty-five (65); or
- 2) The duration the insured has been covered under the policy.

eg) No long-term care insurance policy shall:

- 1) be cancelled, nonrenewed or otherwise terminated on grounds of the age or deterioration of the mental or physical health of the insured individual or certificateholder;
- 2) contain a provision establishing a new waiting period in the event existing coverage is converted to or replaced by a new or other form within the same company, except with respect to an increase in benefits voluntarily selected by the insured individual or group policyholder;
- 3) provide coverage for skilled nursing care only or provide significantly more coverage for skilled

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

care in a facility than coverage for lower levels of care.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2012.55 Unintentional Lapse

Each insurer offering long-term care insurance shall, as a protection against unintentional lapse, comply with the following:

a) Notice before lapse or termination.

- 1) No individual long-term care policy or certificate shall be issued until the insurer has received from the applicant a written designation of at least one person, in addition to the applicant, who is to receive notice of lapse or termination of the policy or certificate for nonpayment of premium; or a written waiver dated and signed by the applicant electing not to designate additional persons to receive notice. The applicant has the right to designate at least one person who is to receive the notice of termination, in addition to the insured. Designation shall not constitute acceptance of any liability on the third party for services provided to the insured. The form used for the written designation shall provide space designated for listing at least one person. The designation shall include each person's full name and home address. In the case of an applicant who elects not to designate an additional person, the waiver shall state: "Protection against unintended lapse. I understand that I have the right to designate at least one person other than myself to receive notice of lapse or termination of this long-term care insurance policy for nonpayment of premium. I understand that notice will not be given until thirty (30) days after a premium is due and unpaid. I elect NOT to designate any person to receive such notice." The insurer shall also notify the insured of the right to change this written designation, no less often than once every two (2) years.

- 2) When the policyholder or certificateholder pays premium for a long-term care insurance policy or

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

certificate through a payroll or pension deduction plan, the requirements contained in subsection (a)(1) above need not be met until sixty (60) days after the policyholder or certificateholder is no longer on such a payment plan. The application or enrollment form for such policies or certificates shall indicate the payment plan selected by the applicant.

- 3) Lapse or termination for nonpayment of premium. No individual long-term care policy or certificate shall lapse or be terminated for nonpayment of premium unless the insurer, at least thirty (30) days before the effective date of the lapse or termination, has given notice to the insured and to those persons designated pursuant to subsection (a)(1) above, at the address provided by the insured for purposes of receiving notice of lapse or termination. Notice shall be given by first class United States mail, postage prepaid; and notice shall not be given until thirty (30) days after a premium is due and unpaid. Notice shall be deemed to have been given as of five (5) days after the date of mailing.

- b) In addition to the requirements of subsection (a) above, a long-term care insurance policy or certificate shall include a provision which provides for reinstatement of coverage, in the event of lapse if the insurer is provided proof of cognitive impairment or the loss of functional capacity. This option shall be available to the insured if requested within five (5) months after termination and shall allow for the collection of past due premium. The standard of proof of cognitive impairment or loss of functional capacity shall not be more stringent than the benefit eligibility criteria on cognitive impairment or the loss of functional capacity, if any, contained in the policy and certificate.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2012.60 Required Disclosure Provisions

- a) Renewability. Individual long-term care insurance policies shall contain a renewability provision. Such provision shall be captioned, as a Renewal, shall

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

appear on the first page of the policy, and shall clearly state the duration, where limited, of renewability and the duration of the term of coverage for which the policy is issued and of which it may be renewed. This provision shall not apply to policies which do not contain a renewability provision and under which the right to renew is reserved solely to the policyholder.

- b) Riders and Endorsements. Except for riders or endorsements by which the insurer effectuates a request made in writing by the insured under an individual long-term care insurance policy, all riders or endorsements added to an individual long-term care insurance policy after date of issue or at reinstatement or renewal which reduce or eliminate benefits or coverage in the policy shall require signed acceptance by the individual insured. After the date of policy issue, any rider or endorsement which increases benefits or coverage with a concomitant increase in premium during the policy term must be agreed to in writing signed by the insured, except if the increased benefits or coverage are required by law. Where a separate additional premium is charged for benefits provided in connection with riders or endorsements, such premium charge shall be set forth in the policy, rider or endorsement.

- c) Payment of Benefits. A long-term care insurance policy or certificate which provides for the payment of benefits based on standards described as "usual and customary," "reasonable and customary" or words of similar import shall include a definition of such terms and an explanation of such terms in its accompanying outline of coverage.

- d) Preexisting Conditions: If a long-term care insurance policy or certificate contains any limitations with respect to preexisting conditions, such limitations shall appear as a separate paragraph of the policy or certificate and shall be labeled "Preexisting Condition Limitations." Limitations to preexisting conditions shall be in accordance with Section 351A-5 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 963A-57-as-added-by-P.A.-85-1172-effective August-12-1988) [215 ILCS 5/351A-5].

ILLINOIS REGISTER
DEPARTMENT OF INSURANCE
NOTICE OF PROPOSED AMENDMENTS

e) Other Limitations or Conditions on Eligibility for Benefits. In addition to complying with Section 351A-6 of the Illinois Insurance Code, beginning August 30, 1990, a long-term care insurance policy or certificate containing any limitations or conditions for eligibility other than those prohibited in Section 351A-6 shall set forth a description of such limitations or conditions, including any required number of days of confinement in a separate paragraph of the policy or certificate and shall label such paragraph "Limitations or Conditions on Eligibility for Benefits."

f) Disclosure Requirements for Accelerated Life Products

1) Policy Summary

At the time of policy delivery, a policy summary shall be delivered for an individual life insurance policy which provides long-term care benefits within the policy or by rider. In the case of direct response solicitations, the insurer shall deliver the policy summary upon the applicant's request, but regardless of request shall make such delivery no later than at the time of policy delivery. In addition to complying with all applicable requirements, the summary shall also include:

- A) an explanation of how the long-term care benefit interacts with other components of the policy, including deductions from death benefits;
- B) an illustration of the amount of benefits, the length of benefit, and the guaranteed lifetime benefits if any, for each covered person;
- C) any exclusions, reductions and limitations on benefits of long-term care; and
- D) if applicable to the policy type, the summary shall also include:
 - i) disclosure of the effects of exercising other rights under the policy;
 - ii) disclosure of guarantees related to long-term care costs of insurance charges; and

- iii) current and projected maximum lifetime benefits.
- 2) Benefit Reports

Any time a long-term care benefit, funded through a life insurance vehicle by the acceleration of the death benefit, is in benefit payment status, a monthly report shall be provided to the policyholder. Such report shall include:

- A) any long-term care benefits paid during the month;
- B) an explanation of any changes in the policy, including changes in death benefits or cash values, due to long-term care benefits being paid out; and
- C) the amount of long-term care benefits existing or remaining.

3) Outline of Coverage

The Outline of Coverage should include an example filled out in John Doe form which illustrates how the long-term care benefit is calculated. Refer to Section 2012.110 and Exhibit C for format and content requirements.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2012.65 Prohibition Against Post Claims Underwriting

- a) All applications for long-term care insurance policies or certificates except those which are guaranteed issue shall contain unambiguous questions designed to ascertain the health condition of the applicant.

- 1) If an application for long-term care insurance contains a question which asks whether the applicant has had medication prescribed by a physician, it must also ask the applicant to list the medication that has been prescribed.

ILLINOIS REGISTER

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 2) If the medications listed in such application were known by the insurer, or were included in the insurers underwriting standards at the time of application, to be directly related to a medical condition for which coverage would otherwise be denied, then the policy or certificate shall not be rescinded for that condition.

- b) Except for policies or certificates which are guaranteed issue:

- 1) The following language shall be set out in bold face type on the same page as the applicant's signature block on an application for a long-term care insurance policy or certificate:

Caution: If your answers on this application are incorrect or untrue, [company] has the right to deny benefits or rescind your policy.

- 2) The following language shall be set out on the long-term care insurance policy or certificate at the time of delivery:

Caution: The issuance of this long-term care insurance [policy] [certificate] is based upon your responses to the questions on your application. A copy of your [application] [enrollment form] [is enclosed] [was retained by you when you applied]. If your answers are incorrect or untrue, the company has the right to deny benefits or rescind your policy. The best time to clear up any questions is now, before a claim arises! If, for any reason, any of your answers are incorrect, contact the company at this address: [insert address]

- 3) Prior to issuance of a long-term care policy or certificate to an applicant age eighty (80) or older, the insurer shall obtain one of the following:

- A) A report of a physical examination;
B) An assessment of functional capacity;
C) An attending physician's statement; or

ILLINOIS REGISTER

11300
93

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- D) Copies of medical records.

- c) A copy of the completed application or enrollment form (whichever is applicable) shall be delivered to the insured no later than at the time of delivery of the policy or certificate unless it was retained by the applicant at the time of application.
- d) Every insurer, as defined herein selling or issuing long-term care insurance benefits shall maintain a record of all policy or certificate rescissions, both State and countrywide, except those which the insured voluntarily effectuated and shall annually furnish this information to the Director of Insurance in the format prescribed in Exhibit D.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2012.70 Minimum Standards for Home Health and Community Care Benefits in Long-Term Care Insurance Policies

- a) A long-term care insurance policy or certificate may not, if it provides benefits for home health care services, limit or exclude benefits:
- 1) By requiring that the insured/claimant would need skilled care in a skilled nursing facility if home health care services were not provided;
 - 2) By requiring that the insured/claimant first or simultaneously receive nursing and/or therapeutic services in a home or community setting before home health care services are covered;
 - 3) By limiting eligible services to services provided by registered nurses or licensed practical nurses;
 - 4) By requiring that a nurse or therapist provide services covered by the policy that can be provided by a home health aide, or other licensed or certified home care worker acting within the scope of his or her licensure or certification;
 - 5) By requiring that the insured/claimant have an acute condition before home health care services are covered;

NOTICE OF PROPOSED AMENDMENTS

93

- 6) By excluding coverage for personal care services provided by a home health aide;
- 7) By requiring that the provision of home health care services be at a level of certification or licensure greater than that required by the eligible service;
- 68) By limiting benefits to services provided by Medi-care-certified agencies or providers;
- 9) By excluding coverage for adult day care services.
- b) A long-term care insurance policy or certificate, if it provides for home health or community care services, shall provide total home health or community care coverage that is a dollar amount equivalent to at least one-half of one year's coverage available for nursing home benefits under the policy or certificate, at the time covered home health or community care services are being received. This requirement shall not apply to policies or certificates issued to residents of continuing care retirement communities.
- bc) Home health care coverage may be applied to the nonhome health care benefits provided in the policy or certificate when determining maximum coverage under the terms of the policy or certificate.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2012.80 Requirement to Offer Inflation Protection

- a) No insurer may offer a long-term care insurance policy unless the insurer also offers to the policyholder in addition to any other inflation protection the option to purchase a policy that provides for benefit levels to increase with benefit maximums or reasonable durations which are meaningful to account for reasonable anticipated increases in the costs of long-term care services covered by the policy. Insurers must offer to each policyholder, at the time of purchase, the option to purchase a policy with an inflation protection feature no less favorable than one of the following:

NOTICE OF PROPOSED AMENDMENTS

- 1) Increases benefit levels annually, (in a manner so that the increases are compounded annually at a rate not less than five percent (5%));
- 2) Guarantees the insured individual the right to periodically increase benefit levels without providing evidence of insurability or health status so long as the option for the previous period has not been declined; or. The amount of the additional benefit shall be no less than the difference between the existing policy benefit and that benefit compounded annually at a rate of at least five percent (5%) for the period beginning with the purchase of the existing benefit and extending until the year in which the offer is made; or
- 3) Covers a specified percentage of actual or reasonable charges and does not include a maximum specified indemnity amount of limit.
- b) Where the policy is issued to a group, the required offer in subsection (a) above shall be made to the group policyholder; except, if the policy is issued to a discretionary group other than to a continuing care retirement community, the offering shall be made to each proposed certificateholder.
- c) The offer in subsection (a) above shall not be required of:
- 1) Life insurance policies or riders containing accelerated long-term care benefits;
- 2) Expense-invested-long-term-care-insurance-policies;
- d) Insurers shall include the following information in or with the outline of coverage:
- 1) A graphic comparison of the benefit levels of a policy that increases benefits over the policy period with a policy that does not increase benefits. The graphic comparison shall show benefit levels over at least a twenty (20) year period.
- 2) Any expected premium increases or additional premiums to pay for automatic or optional benefit increases. If premium increases or additional

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

premiums will be based on the attained age of the applicant at the time of the increase, the insurer shall also disclose the magnitude of the potential premiums the applicant would need to pay at ages 75 and 85 for benefit increases.

- 3) An insurer may use a reasonable hypothetical or a graphic demonstration for the purposes of this disclosure.

e) Inflation protection benefit increases under a policy which contains such benefits shall continue without regard to an insured's age, claim status or claim history, or the length of time the person has been insured under the policy.

f) An offer of inflation protection which provides for automatic benefit increases shall include an offer of a premium which the insurer expects to remain constant. Such offer shall disclose in bold face type that the premium may change in the future unless the premium is guaranteed to remain constant.

g) Inflation protection as provided in subsection (a)(1) of this Section shall be included in a long-term care insurance policy unless an insurer obtains a rejection of inflation protection signed by the policyholder as required hereunder. The rejection shall be considered a part of the application and shall state, "I have reviewed the outline of coverage and the graphs that compare the benefits and premiums of this policy with and without inflation protection. Specifically, I have reviewed plan(s) _____, and I reject inflation protection."

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2012.90 Requirements for Application Forms and Replacement Coverage

- a) Question Concerning Replacement. Individual and direct response solicited long-term care insurance application forms shall include a question designed to elicit information as to whether the proposed insurance policy is intended to replace any other accident and sickness or long-term care insurance policy presently in force.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

A supplementary application or other form to be signed by the applicant containing such a question may be used.

- b) Solicitations Other than Direct Response. Upon determining that a sale will involve replacement, an insurer, other than an insurer using direct response solicitation methods, or its agent, shall furnish the applicant, prior to issuance or delivery of the individual long-term care insurance policy, a notice regarding replacement of accident and sickness or long-term care coverage. One copy of such notice shall be retained by the applicant and an additional copy signed by the applicant shall be retained by the insurer. The required notice shall be provided in the following manner set forth in Exhibit A.

- c) Direct Response Solicitations. Insurers using direct response solicitation methods shall deliver a notice regarding replacement of accident and sickness or long-term care coverage to the applicant upon issuance of the policy. The required notice shall be provided in the manner set forth in Exhibit B.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2012.95 Reporting Requirements

All insurers shall:

- a) Maintain records for each insurance producer of that producer's amount of replacement sales as a percent of the producer's total annual sales and the amount of lapses of long-term care insurance policies sold by the insurance producer as a percent of the producer's total annual sales.

- b) Report annually by June 30 the ten percent (10%) of its insurance producers with the greatest percentages of lapses and replacements as measured by subsection (a) above. Reported replacement and lapse rates do not alone constitute a violation of insurance laws or necessarily imply wrongdoing. The reports are for the purpose of reviewing more closely insurance producer activities regarding the sale of long-term care insurance.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- c) Report annually by June 30 the number of lapsed policies as a percent of its total annual sales and as a percent of its total number of policies in force as of the end of the preceding calendar year.
- d) Report annually by June 30 the number of replacement policies sold as a percent of its total annual sales and as a percent of its total number of policies in force as of the preceding calendar year.
- e) For purposes of this Section, "policy" shall mean only long-term care insurance and "report" means on a state-wide basis.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2012.100 Filing Requirement

Prior to an insurer offering group long-term care insurance to a resident of this State pursuant to Section 351A-2 of the Illinois Insurance Code (Ill. Rev. Stat. 1987¹, ch. 73, par. 963A-2, added by P.A. 85-1172, effective August 12, 1988) [215 ILCS 5/351A-2], it shall file with the Director evidence that the group policy or certificate thereunder has been approved by a state that has adopted the National Association of Insurance Commissioners' model legislation on Long-Term Care Insurance and attendant regulations, 120 West 12th Street, Suite 1100, Kansas City, Missouri 64105 (1990) (no subsequent dates or editions).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2012.110 Loss Ratio

Benefits under group and individual direct response and individual long-term care insurance policies shall be deemed reasonable in relation to premiums provided the lifetime anticipated loss ratio is at least sixty percent, calculated on the basis of the ratio of the present value of the expected benefits to the present value of the expected premiums over the entire period for which rates are computed to provide coverage. In evaluating the lifetime anticipated loss ratio, consideration shall be given to the following factors:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- a) Statistical credibility of incurred claims experience based on the following factors: claim rates, variability in transaction costs, and number of lives exposed.
- b) The period for which rates are computed to provide coverage;
- c) Experienced and projected trends;
- d) Concentration of experience within early policy duration;
- e) Expected claim fluctuation;
- f) Experience refunds, adjustments or dividends;
- g) Renewability features;
- h) Interest;
- i) Experimental nature of the coverage;
- j) Product features such as long elimination periods (period between when the claim arises and insured is eligible to receive benefits), high deductibles and high maximum limits.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2012.115 Filing Requirements for Advertising

Every insurer, as defined herein, providing long-term care insurance or benefits in this State shall comply with 50 Ill. Adm. Code 2002.180.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2012.120 Reserve Standards

- a) When long-term care benefits are provided through the acceleration of benefits under group and individual life policies or riders to such policies, active-life policy reserves for such benefits shall be determined in accordance with Section 223 of the Illinois Insurance Code (Ill. Rev. Stat. 1987¹, ch. 73, par. 835)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

[215 ILCS 5/223]. Claim reserves must also be established in the case when such policy or rider is in claim status (see 50 Ill. Adm. Code 2004.40). Reserves for policies and riders subject to this paragraph subsection should be based on the multiple decrement model utilizing all relevant decrements except for voluntary termination rates. Single decrement approximations are acceptable if the calculation produces reserves that are greater than or equal to the reserves that are produced by the multiple-decrement model reserves which differ from the reserves based on the multiple decrement approach by less than 5% for each combination of issue age and duration, or are greater than the reserves based on the multiple decrement approach, or if the reserves for this line of business are less than five percent (5%) of the statutory net worth of the company. The calculations may take into account the reduction in life insurance benefits due to the payment of long-term care benefits. However, in no event shall the reserves for the long-term care benefit and life insurance benefit be less than the reserves for the life insurance benefit assuming no long-term care benefit. In the development and calculation of reserves for policies and riders subject to this paragraph, due regard shall be given to the applicable policy provisions, marketing methods, administrative procedures and all other considerations which have an impact on projected claim costs, including, but not limited to, the following:

- 1) Definition of insured events
- 2) Covered long term care facilities
- 3) Existence of home convalescence care coverage
- 4) Definition of facilities
- 5) Existence or absence of barriers to eligibility
- 6) Premium waiver provision
- 7) Renewability
- 8) Ability to raise premiums
- 9) Marketing method
- 10) Underwriting procedures
- 11) Claims adjustment procedures
- 12) Waiting period
- 13) Maximum benefit
- 14) Availability of eligible facilities
- 15) Margins in claim costs
- 16) Optional nature of benefit
- 17) Delay in eligibility for benefit

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 18) Inflation protection provisions
- 19) Guaranteed insurability option
- b) The valuation morbidity table shall be accompanied by a statement declaring it as appropriate as a statutory valuation table by a member of the American Academy of Actuaries.
- c) When long-term care benefits are provided other than as in subsection a) above, reserves shall be determined in accordance with Section 353a of the Illinois Insurance Code (Ill. Rev. Stat. 198791, ch. 73, par. 965a) [215 ILCS 5/353a].

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2012.122 Standards for Marketing

- a) Every insurer, as defined herein, marketing long-term care insurance coverage in this State, directly or through its producers, shall:
 - 1) Establish marketing procedures to assure that any comparison of policies by its producers will be accurate.
 - 2) Establish marketing procedures to assure that excessive insurance is not sold or issued.
 - 3) Display prominently by type or stamp on the first page of the outline of coverage and policy the following: "Notice to buyer: This policy may not cover all of the costs associated with long-term care incurred by the buyer during the period of coverage. The buyer is advised to review carefully all policy limitations."
 - 4) Inquire of a prospective applicant or enrollee for long-term care insurance whether they already have accident and sickness or long-term care insurance and the types and amounts of any such insurance.
 - 5) Every insurer or entity marketing long-term care insurance shall establish auditable procedures for verifying compliance with this subsection.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

6) The insurer shall, at solicitation, provide written notice to the prospective policyholder and certificateholder of the Senior Health Insurance Program (SHIP) and that such a program is available and the name, address and telephone number of the program.

7) For long-term care health insurance policies and certificates, use the terms "noncancellable" or "level premium" only when the policy or certificate conforms to this regulation.

b) In addition to the practices prohibited in Article XXVI, (Ill. Rev. Stat. 1991, ch. 73, par. 1028 et seq.) [215 ILCS 5/421 et seq.], the following acts and practices are prohibited:

1) Twisting. Knowingly making any misleading representation or incomplete or fraudulent comparison of any insurance policies or insurers for the purpose of inducing, or tending to induce, any person to lapse, forfeit, surrender, terminate, retain, pledge, assign, borrow on or convert any insurance policy or to take out a policy of insurance with another insurer.

2) High pressure tactics. Employing any method of marketing having the effect of, or tending to induce the purchase of insurance through force, fright, threat, whether explicit or implied, or undue pressure to purchase or recommend the purchase of insurance.

3) Cold lead advertising. Making use directly or indirectly of any method of marketing which fails to disclose in a conspicuous manner that a purpose of the method of marketing is solicitation of insurance and that contact will be made by an insurance producer or insurance company.

c) With respect to the obligations set forth in this subsection, the primary responsibility of an association when endorsing or selling long-term care insurance shall be to educate its members concerning long-term care issues in general so that its members can make informed decisions. Associations shall provide information regarding long-term care insurance policies or

certificates endorsed or sold by such associations to ensure that members of such associations receive a complete explanation of the features in the policies or certificates that are being endorsed or sold.

1) The insurer shall file with this Department the following material:

A) The policy and certificate.

B) A corresponding outline of coverage, as referenced in Section 2012.130 and Exhibit C of this Part, and

C) All advertisements requested by the insurance department.

2) The association shall disclose in any long-term care insurance solicitation:

A) The specific nature and amount of the compensation arrangements (including all fees, commissions, administrative fees and other forms of financial support) that the association receives from endorsement or sale of the policy or certificate to its members, and

B) A brief description of the process under which such policies and the insurer issuing such policies were selected.

3) If the association and the insurer have interlocking directorates or trustee arrangements, the association shall disclose such fact to its members.

4) The board of directors of associations selling or endorsing long-term care insurance policies or certificates shall review and approve such insurance policies as well as the compensation arrangements made with the insurer.

5) The association shall also:

A) At the time of the association's decision to endorse, engage the services of a person with expertise in long-term care insurance not

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

affiliated with the insurer to conduct an examination of the policies, including its benefits, features, and rates and update such examination thereafter in the event of a material change.

- B) Monitor the marketing efforts of the insurer and its insurance producers; and
- C) Review and approve all marketing materials or other insurance communications used to promote sales, or sent to members regarding such policies or certificates.
- 6) No group long-term care insurance policy or certificate may be issued to an association unless the insurer files with this Department the information required in this subsection.
- 7) The insurer shall not issue a long-term care policy or certificate to an association or continue to market such a policy or certificate unless the insurer certifies annually that the association has complied with the requirements set forth in this subsection.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2012.124 Appropriateness of Recommended Purchase

In recommending the purchase or replacement of any long-term care insurance policy or certificate an insurance producer shall make efforts to determine the appropriateness of a recommended purchase or replacement.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2012.126 Prohibition Against Preexisting Conditions and Probationary Periods in Replacement Policies or Certificates

If a long-term care insurance policy or certificate replaces another long-term care policy or certificate, the replacing insurer shall waive any time periods applicable to preexisting conditions and probationary periods in the new long-term care

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

policy for similar benefits to the extent that similar exclusions have been satisfied under the original policy.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2012.130 Standard Format Outline of Coverage Requirements

This Section implements, interprets and makes specific the provisions of Section 351A-8 of the Illinois Insurance Code (Ill. Rev. Stat. 198791, ch. 73, par. 963A-8, as added by P.A. 85-1172, effective August 12, 1988) [215 ILCS 5/351A-8] in prescribing a standard format and the content of an outline of coverage.

- a) The outline of coverage shall be a free-standing document, using no smaller than ten point type.
- b) The outline of coverage shall contain no material not contained within the policy itself.
- c) Text which is capitalized or underscored in the standard format outline of coverage may be emphasized by other means which provide prominence equivalent to such capitalization or underscoring.
- d) Use of the text and sequence of text of the standard format outline of coverage is mandatory.
- e) The standard format, including style, arrangement and overall appearance, and the content of an outline of coverage appears in Exhibit C.
- (Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2012.140 Requirement to Deliver Shopper's Guide

- a) A long-term care insurance shopper's guide in the format developed by the National Association of Insurance Commissioners, or a guide developed or approved by the Director shall be provided to all prospective applicants of a long-term care insurance policy or certificate.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 1) In the case of an insurance producer solicitations, a producer must deliver the shopper's guide prior to the presentation of an application or enrollment form.
- 2) In the case of direct response solicitations, the shopper's guide must be presented in conjunction with any application or enrollment form.
- b) Life insurance policies or riders containing accelerated long-term care benefits are not required to furnish the above-referenced guide, but shall furnish the policy summary required under Section 2012.60(f)(1) of this Part.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2012.150 Penalties

In addition to any other penalties provided by the laws of this State any insurer and any insurance producer found to have violated any requirement of this State relating to the regulation of long-term care insurance or the marketing of such insurance shall be subject to a fine of up to three (3) times the amount of any commissions paid for each policy involved in the violation or up to \$10,000, whichever is greater.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2012.Exhibit D Rescission Reporting Format

RESCISSION REPORTING FORMS FOR
LONG-TERM CARE POLICIES
FOR THE STATE OF ILLINOIS
FOR THE REPORTING YEAR 19[]

Company Name: _____

Address: _____

Phone Number: _____

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Due: March 1 annually

Instructions:

The purpose of this form is to report all rescissions of long-term care insurance policies or certificates. Those rescissions voluntarily effectuated by an insured are not required to be included in this report. Please furnish one form per rescission.

Policy Form #	Policy Certificate #	Name of Insured	Date of Policy Issuance	Date/s Claim/s Submitted	Date of Rescission

--	--	--	--	--	--

Detailed reason for rescission:

Signature _____

Name and Title (please type) _____

Date _____

(Source: Added at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Funeral Directors and Embalmers Act

2) Code Citation: 68 Ill. Adm. Code 1250

3) Section Numbers: Proposed Action:

1250.110	Amendment
1250.120	Amendment
1250.130	Amendment
1250.135	Amendment
1250.140	Amendment
1250.150	Amendment
1250.155	Amendment
1250.160	Amendment
1250.170	Amendment
1250.200	Amendment
1250.205	Amendment
1250.210	Amendment
1250.220	Amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111, pars. 2809 and 2822, as amended by P.A. 87-966, effective January 1, 1993 [225 ILCS 41/5-15 and 10/35].

5) A Complete Description of the Subjects and Issues Involved:

Public Act 87-966, effective January 1, 1993, revised the Funeral Directors and Embalmers Licensing Act of 1935 to the Funeral Directors and Embalmers Licensing Code. Substantive changes modified continuing education (CE) requirements for funeral directors and embalmers. This rulemaking implements those revisions and makes various style, citation, grammar and spelling changes.

Although continuing education hour requirements for a 2-year renewal period remain 12 hours for a funeral director license and 24 hours for a funeral director and embalmer license, more flexibility will be allowed in choosing subjects. Instead of being required to obtain 12 hours related to funeral directing and 12 hours related to embalming, funeral directors and embalmers may take all funeral directing subjects, all embalming subjects or a mixture of both.

Funeral director licensees also may complete their 12-hour CE requirement in funeral directing or embalming subjects.

This rulemaking also increases the maximum number of CE hours that may be credited for courses completed at an accredited college or university or for serving as an instructor, speaker or discussion leader of an approved course.

The International Order of the Golden Rule is added to the list of approved CE sponsors.

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

6) Will these proposed amendments replace an emergency Rule currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed Rules pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable):

This rulemaking has no effect on local governments.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Interested Persons may submit written comments and views to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

All comments received within 30 days of this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days of this issue will be considered if received within 30 days of such request.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 12, 1993.

B) Types of small businesses affected: Funeral homes and continuing education providers.

C) Reporting, bookkeeping or other procedures required for compliance:
Reporting and bookkeeping procedures remain the same.

D) Types of professional skills necessary for compliance:
Funeral directing and embalming experience are necessary for licensure.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONSPART 1250
FUNERAL DIRECTORS AND EMBALMERS LICENSING ACT CODE

Section	Approved Programs of Mortuary Science
1250.110	Application for Traineeship
1250.120	Requirements of Traineeship
1250.130	Application for Licensure
1250.135	Examination
1250.140	Reciprocity
1250.150	Inactive Status
1250.155	Restoration
1250.160	Requirements for a Preparation Room
1250.170	Required Activities (Repealed)
1250.180	Violations (Repealed)
1250.190	Renewals
1250.200	Advertising
1250.205	Granting Variances
1250.210	Continuing Education
1250.220	

AUTHORITY: Implementing the Funeral Directors and Embalmers Licensing Act of 1935 (Ill. Rev. Stat. 1991, ch. 111, pars. 2800 through 2843, as amended by P.A. 87-966, effective January 1, 1993) [225 ILCS 41] and authorized by Section 60(7) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 60(7)) [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations for the Administration of the Illinois Funeral Directors and Embalmers Act, effective March 19, 1975; amended at 4 Ill. Reg. 30, p. 1238, effective July 10, 1980; codified at 5 Ill. Reg. 11034; repealed and new rules adopted at 6 Ill. Reg. 4203, effective April 26, 1982; emergency amendment at 7 Ill. Reg. 7675, effective June 14, 1983, for a maximum of 150 days; amended at 9 Ill. Reg. 4529, effective March 27, 1985; transferred from Chapter I, 68 Ill. Adm. Code 250 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1250 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2931; amended at 13 Ill. Reg. 14061, effective August 29, 1989; amended at 15 Ill. Reg. 8238, effective May 16, 1991; amended at 17 Ill. Reg. _____, effective _____.

Section 1250.110 Approved Programs of Mortuary Science

- a) The Department of Professional Regulation (the "Department") shall approve a program of mortuary science as reputable and in good standing if it meets the following minimum criteria:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) The educational institution is legally recognized and authorized by the jurisdiction in which it is located to provide courses in mortuary science.
- 2) Has a faculty which comprises a sufficient number of full-time and part-time instructors to make certain that the educational obligations to the student are fulfilled. The faculty must have demonstrated competence in their area(s) of teaching as evidenced by appropriate degrees from recognized professional colleges or institutions;
- 3) Has one of the following:
 - A) ~~Has a~~ A course of study of at least 12 months with at least the following curriculum:
 - Anatomy
 - Restorative Art
 - Microbiology
 - Embalming
 - Sociology
 - Psychology
 - B) A course of study resulting in an associate's degree in mortuary science or an equivalent associate's degree (i.e., applied science), consisting of courses in liberal arts and sciences as well as the curriculum described in subsection (a)(3)(A), above.
 - C) A course of study resulting in a baccalaureate degree in mortuary science.
- 4) Maintains permanent student records that summarize the credentials for admission, attendance, grades and other records of performance.
- b) In determining whether a program should be approved, the Department shall take into consideration but not be bound by accreditation by the American Board of Funeral Service Education, Inc.
- c) The Department has determined that all mortuary science programs accredited by the American Board of Funeral Service Education, Inc. as of January 1, ~~1990~~ 1993, meet the minimum criteria set forth in subsection (a), above and are, therefore, approved.
- d) Program Evaluation
 - 1) An applicant from a program of mortuary science that has not been evaluated shall be requested by the Department to provide documentation concerning the criteria in this Section.

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

- 2) Once the Department has received the documentation or after 6 months have elapsed from the date of application, whichever comes first, the Department will evaluate the program based on all documentation received from the school and any additional information the Department has received ~~which~~ that it deems to be reliable.

e) Withdrawal of Approval

- 1) The Director of the Department (the "Director") may withdraw, suspend or place on probation the approval of a program of mortuary science when the quality of the program has been materially affected by any of the following causes:

A) Gross or repeated violations of any provision of the Funeral Directors and Embalmers Licensing Code (the Code) Illinois 1989, par. 2800 et seq., as amended by Public Act 86-596, effective January 1, 1990 (Ill. Rev. Stat. 1991, ch. 111, pars. 2800 through 2843, as amended by P.A. 87-966, effective January 1, 1993) [225 ILCS 41];

B) Gross or repeated violations of any of these Rules;

C) Fraud or dishonesty in furnishing documentation for evaluation of the program of mortuary science; or

D) Failure to continue to meet the established criteria for an approved program as set out in this Section.

- 2) The officials in charge of a program whose approval is being reconsidered by the Department shall be given written notice prior to any action by the Department and such officials may either submit written comments or request a hearing before the Department in accordance with 68 Ill. Adm. Code 1110.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1250.120 Application for Traineeship

- a) An applicant for a license as a funeral director and embalmer trainee shall file an application on forms supplied by the Department. The application shall include:

- 1) Either:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- A) An official transcript showing proof of successful completion of at least 30 semester (45 quarter) hours of college credit, not including remedial courses, from an accredited college or university which shall include at least 20 semester (30 quarter) hours of courses in liberal arts, physical, biological, and/or applied sciences; and certification of graduation from a course of study of at least 12 months in an approved program of mortuary science;

- B) Certification of graduation with an associate's degree in mortuary science or an equivalent associate's degree (i.e., applied science) from an approved program of mortuary science; or

- 2) Certificate of Health, attesting that the applicant has been immunized against diphtheria, hepatitis B and tetanus, signed by a physician currently licensed to practice medicine in all of its branches;

- 3) Certification of acceptance, completed and signed by a licensed funeral director and embalmer whose license is active and in good standing, stating that the applicant will be studying and training under his/her supervision;

- 4) A complete work history since completion of an approved program as set forth in Section 1250.110; and

- 5) The required fee set forth in Section ~~3-12 of the Act~~ 15-65 of the Code

- b) Upon receipt of the above documents and review of the application, the Department shall issue a funeral director and embalmer trainee license or notify the applicant, in writing, of the reason for the denial of ~~his~~ the application.

- c) The provisions of this Section shall apply to all applicants upon adoption without regard to where an applicant is in the application process.

- d) Effective June 1, 1991, all qualified applicants will be issued a funeral director and embalmer trainee license.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1250.130 Requirements for Traineeship

- a) A licensed funeral director and embalmer who agrees to sponsor a trainee shall be responsible for teaching the trainee the practical aspects of ~~his~~ the profession, for demonstrating actual procedures, and for directing and supervising the procedures done by the trainee.

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

- b) The trainee shall be given primary responsibility for:
- 1) Assisting or participating in the arrangement of at least 24 funerals, including completing the necessary paperwork;
 - 2) Assisting in the arrangement of a selection room, including buying, pricing, providing a description of each casket and other pertinent information;
 - 3) Assisting in the preparation and embalming of at least 24 deceased human bodies, including cosmetic application, ~~and~~ dressing and casketing. If possible, at least one of the bodies should have been autopsied; and
 - 4) Making removals of ~~deceased~~ deceased human bodies.
- c) The trainee shall submit to the Department, on forms provided by the Department, a case report for each of the 24 funerals and 24 body preparations ~~which~~ that are required in accordance with subsection (b) above.
- 1) Twelve case reports shall be submitted every 3 months during the year of the apprenticeship.
 - 2) If the trainee has not completed a total of 12 cases in the 3-month period, he/she shall submit the case reports for the cases completed and state the reason(s) why he/she was unable to complete all 12 cases (e.g., lack of available cases, illness, change of ownership).
 - 3) All case reports shall be signed by the trainee and the sponsor.
 - d) The Department shall have the authority to investigate to determine compliance with this Section, and to question the sponsor and the trainee to determine whether the trainee has been properly instructed and has performed the required procedures.
 - e) A trainee may serve his/her training period under more than one licensed funeral director and embalmer in the State of Illinois. A change of employment application must be requested and properly executed, then returned to the Department within one month following the date of change of sponsorship.
 - f) Upon completion of the required year of traineeship, the sponsor shall complete an affidavit, on forms supplied by the Department, stating that the trainee has satisfactorily completed the appropriate procedures under his/her direction and supervision.

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

- g) Trainees shall satisfactorily complete the prescribed one year of training, as evidenced by the documentation required by subsection (c), and pass the National Board examination prior to licensure. For the purpose of determining completion of the prescribed one year of traineeship, the traineeship shall commence on the date of the issuance of the trainee license.
- h) If the license of a funeral director and embalmer trainee cannot be renewed in accordance with Section ~~15 of Article III of the Act~~ 10-35 of the Code and the trainee has not yet received ~~his~~ a year of traineeship, he/she may reapply to the Department under the ~~Act~~ Code and Rules in effect at the time of his reapplication. No credit will be allowed for any examinations he/she may have previously passed or for any traineeship he/she may have previously earned.
- i) The provisions of this Section shall apply to all applicants upon adoption without regard to where an applicant is in the application process.
- (Source: Amended at 17 Ill. Reg. _____, effective _____)
- Section 1250.135 Application for Licensure
- a) An applicant for a license as a funeral director and embalmer, pursuant to Section ~~2A-3 of the Act~~ 10-10 of the Code, shall file an application on forms supplied by the Department. The application shall include the following:
- 1) Certification of completion of traineeship signed by the licensed funeral director and embalmer under whose supervision the traineeship was performed.
 - 2) Certificate of Health, attesting that the applicant has been immunized against diphtheria, ~~hepatitis~~ hepatitis B and tetanus, signed by a physician currently licensed to practice medicine in all of its branches.
 - 3) Verification of successful completion of the National Conference Examination, pursuant to Section 1250.140, to be forwarded by the National ~~e~~Conference directly to the Department.
 - 4) A complete work history since completion of an approved program as set forth in Section 1250.110.
 - 5) Applicants not having been issued ~~an~~ Illinois funeral director and/or embalmer trainee licenses or who have been issued one which has been expired for more than 5 years shall submit the following:

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

- A) Official transcripts showing proof of successful completion of at least 30 semester (45 quarter) hours of college credit, not including remedial courses which shall include at least 20 semester (30 quarter) hours of courses in liberal arts, physical, biological, and/or applied sciences; and certification of graduation from a course of study of at least 12 months in an approved program of mortuary science.
- B) Certification of graduation with an associate's degree in mortuary science from an approved program of mortuary science or an equivalent associate's degree (i.e., applied science); or
- C) Certification of a baccalaureate degree in mortuary science from an approved program of mortuary science.
- 6) The fee specified in Section ~~3-12 of the Act~~ 15-65 of the Code.
- b) Upon receipt of the above documents and review of the application, the Department shall issue a license authorizing the applicant to engage in the practice of funeral directing and embalming or notify the applicant, in writing, of the reason for the denial of ~~his~~ the application.
- c) Beginning June 1, 1991, the Department shall not issue any new licenses as funeral directors or any new licenses for embalmers.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1250.140 Examination

- a) The examination shall be the National Board Examination of the Conference of Funeral Service Examiners written theoretical examination and shall be as follows:

1) Part I (Funeral Service Science):

- A) Embalming
- B) Restorative Art
- C) Microbiology
- D) Pathology
- E) Chemistry
- F) Anatomy

2) Part II (Funeral Service Arts):

- A) Sociology of Funeral Service
- B) Psychology and Counseling

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

- C) Funeral Directing and Professional Relationships
- D) Business Law
- E) Funeral Service Law
- F) Funeral Merchandising
- G) Accounting

- 3) The Department shall receive verification of the successful completion of the National Board Examination administered by the National Conference of Funeral Service Examiners. Successful completion shall be an average score of 75% or greater with no score less than 70% on any one part. Verification shall be received directly from the National Conference of Funeral Service Examiners.
- 4) A score of 75% shall be required for each part retaken.
- b) An examination fee shall be paid to the designated testing service for each examination or any part retaken.
- c) The provisions of this Section shall apply to all applicants upon adoption without regard to where an applicant is in the application process.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1250.150 Reciprocity

- a) An applicant who is currently licensed as a funeral director and embalmer under the laws of another state or territory of the United States or of a foreign country or province shall file an application with the Department together with:

1) Either:

- A) An official transcript showing proof of successful completion of at least 30 semester (45 quarter) hours of college credit, not including remedial courses, from an accredited college or university which shall include at least 20 semester (30 quarter) hours of courses in liberal arts, physical, biological, and/or applied sciences; and certification of graduation from a course of study of at least 12 months in an approved program of mortuary science;
- B) Certification of graduation with an associate's degree in mortuary science or an equivalent associate's degree (i.e., applied science) from an approved program of mortuary science; or
- C) Certification of a baccalaureate degree in mortuary science from an approved program of mortuary science.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 2) Affidavits stating that the applicant has been actively engaged in the practice of funeral directing and embalming for at least 1 year, completed by ~~two~~ 2 persons with personal knowledge of such experience;
 - 3) A certification by the state or territory of original and current licensure, stating:
 - A) The time during which the applicant was licensed in that jurisdiction;
 - B) Whether the file on the applicant contains any record of any disciplinary actions taken or pending; and
 - C) A brief description of the examination, the applicant's grades and a statement that ~~such~~ the state grants reciprocity to funeral directors and embalmers licensed in Illinois.
 - 4) A complete work history since completion of an approved program as set forth in Section 1250.110; and
 - 5) The fee set forth in Section ~~3-12 of the Act~~ 15-65 of the Code.
- b) The Department shall examine each reciprocity application to determine whether the requirements for licensure in the jurisdiction in which the applicant is licensed were at the date of application substantially equivalent to the requirements in force in this State. The Department shall either issue a license by reciprocity to the applicant or notify him/her, in writing, of the reasons for the denial of ~~his~~ the application.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1250.155 Inactive Status

- a) Any licensed funeral director and embalmer or any licensed funeral director who notifies the Department in writing, on forms prescribed by the Department, may elect to place his/her license on inactive status and shall be excused from the payment of renewal fees until he/she notifies the Department in writing of ~~his~~ the desire to resume active status.
- b) Any licensee seeking restoration from inactive status shall do so in accordance with Section 1250.160 of this Part.
- c) *Practice on a license which has lapsed or been placed in inactive status is practicing without a license and a violation of this Code Act (Section ~~2A-8 of the Act~~ 10-35 of the Code).*

(Source: Added at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Section 1250.160 Restoration

- a) A licensee seeking restoration of ~~his~~ a license after it has expired or been placed on inactive status for more than 5 years shall file an application, on forms supplied by the Department, together with the following:
 - 1) The restoration fee(s) specified in Section ~~3-12 of the Act~~ 15-65 of the Code. When restoring a license from inactive status, a person does not have lapsed renewal fees to pay.
 - 2) Any licensee restoring ~~his~~ a license after June 1, 1993, shall be required to submit proof of completion of the required number of continuing education (CE) hours for one prerenewal period as specified in Section 1250.220 of this Part. Acceptable proof of completion shall be in the form of certificates of attendance provided by approved sponsors of continuing education programs.
- b) In addition to satisfying the requirements of subsection (a) above, the licensee shall also submit either:
 - 1) Sworn evidence of active practice in another jurisdiction. Such evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice;
 - 2) An affidavit attesting to military service as provided in Sections ~~1-14 and 2A-8 of the Act~~ 5-15 and 10-35 of the Code. If application is made within ~~two~~ 2 years of discharge, and if all other provisions of Sections 1-10 and ~~2A-8 of the Act~~ 5-15 and 10-35 of the Code are satisfied, the applicant will not be required to pay a restoration fee or any lapsed renewal fees; or
 - 3) Evidence of other education or experience acceptable to the Department of the licensee's fitness to have ~~his~~ the license restored. Such evidence shall be reviewed on a case by case basis by the Board.
- c) A licensee seeking restoration of ~~his~~ a license ~~which~~ that has expired or been on inactive status for less than 5 years, or has been placed in nonrenewed status for failure to comply with CE requirements shall file an application on forms provided by the Department, together with the following:
 - 1) The restoration fee(s) specified in Section ~~3-12 of the Act~~ 15-65 of the Code. When restoring a license from inactive status, a person does not have lapsed renewal fees to pay.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 2) Any licensee restoring ~~his~~ a license after June 1, 1993, shall be required to submit proof of completion of the required number of CE hours for one pre-renewal period as specified in Section 1250.220 of this Part. Acceptable proof of completion shall be in the form of certificates of attendance provided by sponsors of approved continuing education programs.

- d) When the accuracy of any ~~submitted~~ submitted documentation, or the relevance or sufficiency of the course work or experience is ~~reasonably~~ questioned by the Department, because of lack of information, discrepancies or conflicts in information given, or a need for ~~needing further~~ clarification, ~~and/or missing information~~, the licensee seeking restoration of ~~his~~ a license will be ~~required~~ requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information. Upon the recommendation of the Board and approval by the Department, an applicant shall have the license restored. ~~Explanation of such relevance or sufficiency during an interview, or~~
- 3) ~~Appear for an additional interview(s) before the Board, when the information available to the Board is insufficient to evaluate the individual's current competency to practice under the Act. Upon the recommendation of the Board and approval by the Director, an applicant shall have his license restored.~~
- e) Persons to whom a funeral director license and embalmer license were issued prior to June 1, 1991, shall be required to ~~renew~~ restore both licenses. Persons to whom a funeral director license was issued prior to June 1, 1991, will be allowed to ~~renew~~ restore that license.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1250.170 Requirements for a Preparation Room

- a) The care and preparation for burial of all deceased bodies, regardless of cause of demise, shall be entirely private and no one shall be allowed in the embalming or preparation room until the body is fully prepared and dressed, except licensed funeral directors, licensed funeral directors and embalmers, licensed trainees, their assistants, the medical examiner, the coroner, their representatives and representatives of the Department or except when it is determined to be necessary by the funeral director(s) or the medical examiner or the coroner.
- b) A notice of privacy shall be affixed to the preparation room or adjacent thereto.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- c) Preparation rooms shall be maintained in a sanitary condition with necessary drainage and proper ventilation in accordance with the provisions of the ~~Act~~ Code.

- d) Preparation rooms shall be made available to representatives of the Department for inspection to determine compliance with the ~~Act~~ Code and this Part.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1250.200 Renewals

- a) Every license issued under the ~~Act~~ Code shall expire on May 31 of each odd numbered year. The holder of a license may renew ~~such license~~ it during the month preceding ~~the~~ its expiration date ~~thereof~~ by paying the required fee.
- b) Beginning with the 1993 renewal, all funeral director licensees and funeral director and embalmer licensees shall be required to comply with the continuing education requirements set forth in Section 1250.220 of this Part.
- c) It is the responsibility of each licensee to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee and to renew one's license.
- d) ~~No license of a funeral director and embalmer trainee shall be renewed more than twice (Section 2A-8 of the Act 10-35 of the Code).~~
- e) Practicing or attempting to practice while a license is non-renewed shall be considered unlicensed practice and shall be grounds for discipline in accordance with Section ~~5-12 of the Act~~ 15-75 of the Code.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1250.205 Advertising

- a) Persons licensed to practice funeral directing and embalming in the State of Illinois may advertise in any medium or other form of public communication in a manner ~~which~~ that is truthful, and ~~which~~ is not fraudulent, deceptive, inherently misleading or proven to be misleading in practice. Such advertising shall contain all information necessary to make the communication not misleading and shall not contain any false or misleading statement or otherwise operate to deceive. The form of such communication shall be designed to communicate the information contained therein to the public in a direct, dignified and readily comprehensive manner.

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

- b) Information ~~which~~ that may be contained in such advertising includes:
- 1) Licensee's name, address, business hours, and telephone number;
 - 2) Schools attended;
 - 3) Announcement of the opening of, change of, or return to practice;
 - 4) Announcement of additions to or deletions from professional staff;
 - 5) Availability of pre-need arrangements;
 - 6) Professional society memberships;
 - 7) Credit arrangements;
 - 8) Foreign language ability;
 - 9) Fees for professional services and merchandise which must include a statement that fees may be adjusted due to unforeseen circumstances.
 - 10) Description of the establishment in which the licensee practices, e.g., accessibility to the handicapped, chapel facilities on the premises, convenience of parking; and,
 - 11) Other information about the licensee, the licensee's practice, or the types of practice in which the licensee will accept employment, which a reasonable person might regard as relevant in determining whether to seek the licensee's services.
- c) If an advertisement is communicated to the public over television or radio, it shall be prerecorded and approved for broadcast by the licensee, and a recording of the actual transmission, including videotape, shall be retained by the licensee for a period of at least five (5) years.
- d) Information ~~which~~ that may be untruthful, fraudulent, deceptive, inherently misleading, or ~~which~~ has proven to be misleading in practice, includes that which:
- 1) Contains a misrepresentation of fact or omits a material fact required to prevent deception;
 - 2) Takes advantage of the potential client's fears, anxieties, vanities, or other emotions;
 - 3) Contains testimonials and/or exaggerations pertaining to the quality of funeral services;

- 4) Describes as available products or services ~~which~~ that are not permitted by the laws of this State and/or applicable Federal laws; and,
 - 5) Advertises professional services ~~which~~ that the licensee is not licensed to render.
- e) The solicitation of funeral services at the residence of a client or prospective client, or any health care institution in which the client or prospective client is confined, which is uninvited and which has not been previously agreed to by the client or prospective client, is prohibited. A licensee, or his/her representative, may initiate contact with a client, or prospective client, in the following manner:
- 1) Through general advertising;
 - 2) By direct mail;
 - 3) By telephone; or
 - 4) As an invitee of a charitable, social, civic, religious, fraternal or employee or trade organization.
- f) A licensee or his/her representative shall not initiate contact with a client or prospective client if:
- 1) The licensee, or his/her representative, reasonably should know that the physical, emotional, or mental state of the person solicited is such that the person could not exercise reasonable judgment;
 - 2) The person solicited has made known a desire not to receive the communication; or
 - 3) The solicitation involves coercion, duress, or harassment.
- (Source: Amended at 17 Ill. Reg. _____, effective _____)
- Section 1250.210 Granting Variances
- a) The Director may grant variances from these rules in individual cases where he/she finds that:
- 1) The provision from which the variance is granted is not statutorily mandated;
 - 2) No party will be injured by the granting of the variance;

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 3) The rules from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.
- b) The Director shall notify the Board of the granting of such variance, and the reasons therefor, at the next meeting of the Board.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1250.220 Continuing Education

a) Continuing Education Hour Requirements

- 1) Every funeral director and embalmer renewal applicant shall complete 24 hours of continuing education ("CE") relevant to the practice of funeral directing and embalming during each prerenewal period. ~~Of these 24 hours, 12 shall be obtained in CE activities relevant to funeral directing and the remaining 12 shall be obtained in activities relevant to embalming.~~

- 2) Every funeral director renewal applicant shall complete 12 hours of CE relevant to the practice of funeral directing or embalming during each prerenewal period.

- 3) The Department shall conduct random audits to verify compliance with this Section. The prerenewal period is the 24 months preceding the expiration date of the license.

- 4) A renewal applicant is not required to comply with CE requirements for the first renewal following the original issuance of the license. All persons who held a funeral director and/or embalmer license prior to June 1, 1991, shall be required to comply with the CE requirement in order to renew their combined license in July 1993.

- 5) Funeral directors and embalmers licensed in Illinois but residing and practicing in other states must comply with the CE requirements set forth in this Section.

b) Activities for which CE credit may be earned are as follows:

- 1) Verified attendance at or participation in a program given by a sponsor as set forth in subsection (c)(1) of this Section.
- 2) A maximum of 2-6 hours for funeral directors or 6-12 hours for funeral directors and embalmers per prerenewal period for:
 - A) Personal preparation of an educational presentation pertaining to funeral directing and/or embalming organizations;

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- B) Writing of articles pertaining to funeral directing or embalming and having them published in nationally recognized funeral directing and embalming journals;
- C) Writing a chapter in a book pertaining to funeral directing or embalming; and
- D) Completion of self-study courses taken through an accredited college or university or an approved sponsor.

- 3) A licensee who serves as an instructor, speaker or discussion leader of an approved course will be allowed CE course credit for actual presentation time, plus actual preparation time of up to 2 hours for each hour of presentation. Preparation time shall not be allowed for repetitious presentations of the same course, and will only be allowed for additional study or research. In no case shall credit for actual time of presentation and preparation be given for more than 3-6 hours for funeral directors or 6-12 hours for funeral directors and embalmers during any renewal period.

- 4) The CE hours used to satisfy the CE requirements for renewal of a funeral director or funeral director and embalmer license held in another jurisdiction shall be applied to fulfillment of the CE requirements for renewal of their Illinois funeral director or funeral director and embalmer license.

- 5) A maximum of 12-24 hours of CE credit shall be given for ~~completed~~ courses completed at an accredited college or university. One semester hour shall equal 4-8 clock hours. One quarter hour shall equal 3-6 clock hours.

- 6) A CE hour means a minimum of 50 minutes of actual clock time spent by a licensee in actual attendance at and completion of an approved CE activity. ~~After completion of the initial CE hour, credit may be given in one-half hour increments. If the program involves one or more hours of education, credit may be issued in one-half hour increments.~~

- 7) Credit will not be given for activities ~~which~~ that are not included in subsection (b).

c) CE Sponsors and Programs

- 1) Sponsor, as used in this Section, pursuant to Section 2A-8 of the Act 10-35 of the Code, shall mean the following:

- A) An accredited college or university;
- B) Illinois Funeral Directors Association;
- C) Funeral Directors Services Association of Greater Chicago;

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- D) Cook County Association of Funeral Home Owners, Inc.;
- E) Illinois Selected Morticians Association;
- F) National Funeral Directors Association;
- G) National Foundation of Funeral Service;
- H) National Selected Morticians Association;
- I) An Illinois school of mortuary science; ~~or~~
- J) ~~International Order of the Golden Rule; or~~
- K) Any other school, college or university, State agency, or any other person, firm, or association ~~which~~ that has been approved and authorized by the Department to coordinate and present CE courses and programs in conjunction with this Section.

2) A sponsor shall file a sponsor application which certifies the following:

- A) That all courses and programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(3) below and all other criteria in this Section;
- B) That the sponsor will be responsible for verifying attendance at each course or program and provide a certificate of completion as set forth in subsection (c)(5); and
- C) That upon request by the Department, the sponsor will submit such evidence as is necessary to establish compliance with this Section. Such evidence shall be required when the Department has reason to believe that there is not full compliance with the ~~Act~~ Code and this Part and that this information is necessary to ensure compliance.

3) All courses and programs shall:

- A) Contain materials ~~which~~ that contribute to the advancement, extension and enhancement of professional skills and knowledge in the practice of funeral directing or embalming. The course content shall be designed to specifically focus on such advancement and enhancement of professional skills and knowledge ~~and not merely relate to them in a general way~~;
- B) Specify the course objectives, course content and teaching methods to be used;
- C) Be developed and presented by persons with education and/or experience in the subject matter of the program;
- D) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal ~~and~~

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

E) ~~Designate in the following manner as to whether the course or program is specific to:~~

- i) ~~Funeral directing (FD);~~
- ii) ~~Embalming (E);~~
- iii) ~~Funeral directing and/or embalming (FDE); and~~

F) E) Include some mechanism whereby participants evaluate the overall quality and content of the program.

4) All programs given by sponsors should be open to all licensed funeral directors and funeral directors and embalmers and not be limited to the members of a single organization or group.

5) Certificate of Attendance or Participation. It shall be the responsibility of the sponsor to provide each participant in an approved program or course with a certificate of attendance or participation which shall contain the following information:

- A) The name and address of the sponsor;
- B) The name, ~~address~~ and license number of the participant;
- C) A brief statement of the subject matter;
- D) The number of CE hours awarded in each program;
- E) ~~The course content designation:~~

- i) ~~Funeral directing (FD);~~
- ii) ~~Embalming (E);~~
- iii) ~~Funeral directing and embalming (FDE);~~

F) E) The date and place of the program; and

G) F) The signature of the sponsor.

6) The certificate of attendance shall be distributed following the educational program or otherwise be provided to the attendee by the sponsor such as mailing the certificate or summary of attendances attendance at one or more qualifying educational events.

7) The sponsor shall maintain course materials and attendance records containing all information in subsection (c)(5) above for not less than 5 years, except for the signature of the sponsor.

8) The sponsor shall be responsible for assuring that no participant shall receive CE credit for time not actually spent attending the program.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 9) If it is determined after a hearing before the Board that a sponsor has failed to comply with the foregoing requirements, the Department shall thereafter refuse to accept for CE credit attendance at any of such sponsor's CE activities until such time as the Department receives assurances of compliance with this Section.
- 10) Notwithstanding any other provision of this Section, the Department or Board ~~shall~~ may evaluate any sponsor of any continuing education program at any time.
- 11) The Department shall maintain a list of all approved continuing education sponsors in addition to those identified under subsection (c)(1).

d) Certification of Compliance with CE Requirements

- 1) Each renewal applicant shall certify, on ~~his~~ the renewal application, ~~to~~ full compliance with the CE requirements set forth in subsection (a) above.
- 2) The Department may require additional evidence demonstrating compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance. Such additional evidence will be required in the context of the Department's random audit.
- 3) When there appears to be a lack of compliance with CE requirements, an applicant will be notified and may ~~request an~~ be required to interview with the Board, at which time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 16 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1010-65).

e) Waiver of CE Requirements

- 1) Any renewal applicant seeking renewal of ~~his~~ a license without having fully complied with these CE requirements shall file with the Department a renewal application, the required renewal fee, a statement setting forth the facts concerning such non-compliance, and a request for waiver of the CE requirements on the basis of such facts. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted, that extreme hardship has been shown ~~for granting a waiver~~, the Department shall waive enforcement of ~~such~~ CE requirements for ~~the~~ that renewal period ~~of which the applicant has applied~~.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 2) If an interview with the Board is requested at the time the request for ~~such~~ waiver is filed with the Department, the renewal applicant shall be given at least 20 days written notice of the date, time and place of ~~such~~ the interview by certified mail, return receipt requested.
- 3) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:
 - A) Full-time service in the armed forces of the United States of America during a substantial part of such period;
 - B) An incapacitating illness, documented by a currently licensed physician; or
 - C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or
 - D) Other similar extenuating circumstances (i.e., family illness, prolonged hospitalization or advanced age).
- 4) Any renewal applicant who, prior to the expiration date of ~~his~~ the license, submits a request for a waiver, pursuant to the provisions of this Section shall be deemed to be in good standing until the ~~final~~ Department's final decision ~~of~~ on the application has been made.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Illinois Architecture Practice Act of 1989

2) Code Citation: 68 Ill. Adm. Code 1150

3) Section Numbers: Proposed Action:

1150.10 New Section
1150.20 Amendment
1150.85 New Section
1150. Appendix A New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111, pars. 1308, 1311 and 1313 [225 ILCS 305/8, 11 and 13].

5) A Complete Description of the Subjects and Issues Involved: Section 8 of the Act directs the Department of Professional Regulation to prescribe rules for education and diversified professional training of individuals seeking licensure in Illinois as architects.

This rulemaking expands and makes more specific the existing rules pertaining to education and diversified professional training requirements. It also provides for the phasing in of these requirements, with variations depending upon when individuals began their education and training.

Section 1150.10 is added to establish a category for individuals whose education was initiated after January 1, 1990. In amending Section 1150.20, a second category is created for individuals whose education was initiated prior to January 1, 1990.

Section 13 of the Act authorizes the Department to adopt guidelines of the National Council of Architectural Registration Boards (NCARB) relating to diversified professional training. This rulemaking requires an applicant to satisfy requirements set forth in Section 1150.10 of the rules or complete the Intern Development Program (IDP) of NCARB with the stipulation that applicants may satisfy the requirements in effect at the time their training commenced.

Appendix A is added to set forth requirements in various categories of diversified professional training and corresponding minimum value unit requirements in each category.

An applicant who has satisfied these training standards is expected to have been exposed to the comprehensive practice of architecture. Accordingly, each applicant must demonstrate that his or her training has been sufficiently diversified as to include exposure to each of the training areas set forth in Appendix A and NCARB Intern Development Program guidelines. An applicant with the required number of training credits may nonetheless be denied approval of training if that training is not diversified.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

6) Will these proposed rules replace emergency rules currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed rules contain incorporations by reference? No

9) Are there any other proposed rules pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local governments.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested Persons may submit written comments and views to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

All comments received within 30 days of this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days of this issue will be considered if received within 30 days of such request.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 12, 1993

B) Types of small businesses affected: Architect firms and schools providing architect education programs.

C) Reporting, bookkeeping or other procedures required for compliance: All applicants for architect licenses may utilize NCARB to collect, evaluate and certify all training data and records required for compliance with this Part, or applicants may choose to maintain their own records, on forms provided by the Department. The verification of training shall be submitted to the Department at the time of application for examination as an architect.

D) Types of professional skills necessary for compliance:
Architect skills are required for licensure.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1150

ILLINOIS ARCHITECTURE PRACTICE ACT OF 1989

Section

1150.10 Category I - Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated After January 1, 1990

1150.20

Category II - ~~Approved~~ Education Requirements and Diversified Professional Training/~~Experience~~ Requirements for Individuals Whose Education Was Initiated Prior to January 1, 1990
Application for Licensure by Examination

1150.30

1150.40

1150.50

1150.60

1150.65

1150.70

1150.80

1150.85

Standards of Professional Conduct
Renewals

1150.100

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

1150.110

AUTHORITY: Implementing the Illinois Architecture Practice Act of 1989 (Ill. Rev. Stat. 1991, ch. 111, pars. 1301 through 1340 ~~et seq.~~) [225 ILCS 305] and authorized by Section 60(7) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991 1989, ch. 127, par. 60(7)) [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Architecture Act, effective May 29, 1975; amended May 12, 1977; codified at 5 Ill. Reg. 11019; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 7 Ill. Reg. 7658, effective June 15, 1983; amended at 9 Ill. Reg. 5691, effective April 16, 1985; amended at 11 Ill. Reg. 14077, effective August 5, 1987; transferred from Chapter I, 68 Ill. Adm. Code 150 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1150 (Department of Professional Regulation) pursuant to P.A. 85-225 effective January 1, 1988, at 12 Ill. Reg. 2933; amended at 16 Ill. Reg. 3143, effective February 14, 1992; amended at 17 Ill. Reg. 1554, effective January 25, 1995; amended at 17 Ill. Reg. _____, effective _____.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Section 1150.10

Category I - Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated After January 1, 1990

The education and diversified professional training required for examination for licensure under the Illinois Architecture Practice Act (Ill. Rev. Stat. 1991, ch. 111, pars. 1301 through 1340) [225 ILCS 305] (the Act) is set forth in this Section and Section 1150.20. Applicants initiating their education after January 1, 1990, shall meet the requirements set forth in this Section. Individuals who initiated their training prior to the effective date of this Section may have the training evaluated pursuant to this Section or Section 1150.20.

a) Education Requirements

- 1) Applicants with a professional degree from a program accredited by the National Architectural Accrediting Board (NAAB):

A) Bachelor of Architecture degree, or

B) Master of Architecture degree.

- 2) Applicants with a degree from a program not accredited by the NAAB:

A) A pre-professional 4 year baccalaureate degree program in architecture approved by the Board in accordance with Section 1150.50 of this Part, which is accepted for direct entry into a professional Master of Architecture degree program accredited by the NAAB; or

B) Completion of the education requirements as specified in the National Council of Architectural Registration Boards (NCARB) Circular of Information No. 3, as certified by NCARB.

b) Diversified Professional Training Requirements

- 1) An applicant must complete either the Intern Development Program (IDP) of the National Council of Architectural Registration Boards (NCARB), 1735 New York Avenue, N.W., Suite 700, Washington, D.C. 20006, or the training requirements set forth in this Section. The applicant may satisfy the requirements in effect at the time the training commenced.

- 2) To satisfy diversified professional training requirements, each applicant must acquire a minimum number of value units based on the education requirements set forth in subsection (3) below. One value unit equals eight hours of acceptable activity. Acceptable activities are set forth in Appendix K of the NCARB IDP Guidelines. (A copy of these guidelines

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

is available from the Department or NCARB.) Applicants may earn value units for training acquired through one of three ways:

- A) Participation: experience is acquired when the applicant actually performs a particular task; or
- B) Observation: experience is acquired when the applicant works under the direction and control of a licensed architect who is performing the task; or
- C) Supplemental education training approved by the Board in accordance with IDP Guidelines.

- 3) Value units shall be earned in prescribed categories and under requirements set forth in Appendix A of this Part. The required number of value units will vary according to the following educational requirements:

- A) Applicants who meet the educational requirements set forth in subsection (a)(1) and (a)(2)(B) shall complete 700 value units pursuant to Section 1150. Appendix A, Column (1).
- B) Applicants with a pre-professional 4 year baccalaureate degree set forth in subsection (a)(2)(A) shall complete 1170 value units pursuant to Section 1150. Appendix A - Column (2).

- 4) All applicants may utilize NCARB to collect, evaluate and certify all training data and records required for compliance with this Part, or applicants may choose to maintain their own training records, on forms provided by the Department. All training records shall contain continuous information and the verification of training shall be submitted to the Department at the time of application for examination as an architect.

- 5) If the accuracy of any submitted documentation or the relevance or sufficiency of the training is questioned by the Department or the Architect Licensing Board (the Board) because of discrepancies or conflicts information, a need for additional information or information needing further clarification, the applicant will be requested to provide such information as necessary.

Source: Added at 17 Ill. Reg. _____, effective _____.)

Section 1150.20 Category II - Approved Education Requirements and Diversified Professional Training-/Experience Requirements for Individuals Whose Education Was Initiated Prior to January 1, 1990

- a) The education and diversified professional training/experience ("training")

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

~~necessary for examination~~ required for licensure for individuals whose education was initiated prior to January 1, 1990, as required by the Illinois Architecture Practice Act of 1989 (Ill. Rev. Stat. 1989, ch. 411, par. 1301-411.1), pursuant to Section 13 of "The Act", shall be ~~acquired in the following manner: evaluated under the requirements of this Section.~~

- a) Education Requirements (and related training experience required):

- 1) A 6 year professional degree in architecture from a program accredited by the ~~National Architectural Accrediting Board (NAAB)~~ plus 2 years of approved training;
- 2) A 5 year professional degree in architecture from a program accredited by the NAAB plus 3 years of approved training;
- 3) A pre-professional 4 year baccalaureate degree in architecture from a program acceptable for direct entry into a professional master of architecture degree plus 5 years of approved training;
- 4) Until January 1, 1996, a degree in architecture from a program not accredited by the NAAB but approved pursuant to the provisions of Section 1150.50;

- A) Master's degree plus 4 years of approved training;

- B) 5 year bachelor's degree plus 4.5 years of approved training;

- C) 4 year bachelor's degree plus 5 years of approved training;

- D) A 4 year degree in an architecture-related field or from a program which does not meet the requirements of Section 1150.50 plus 6 years of approved training. For the purposes of this Section the Department, upon recommendation of the ~~Illinois Architectural Licensing Board~~ (the "Board"), has determined an architecture-related field as:

landscape architecture,
interior design,
building technology,
construction management,
urban ~~design~~ and regional planning, ~~and~~
historic preservation, ~~or~~ and
architectural, civil, mechanical, structural, general or electrical
engineering; or

- E) A 4 year or more nonarchitectural degree from an approved college plus 7 years of approved training.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- b) Diversified Professional Training commenced prior to January 1, 1994, shall meet the following requirements:

- 1) All training shall be acquired:
 - A) After completion of ~~two~~ 2 years of architecture or architectural related program; and
 - B) Under the direct supervision and control (as defined in Section 14 of the Act) of an architect licensed in a jurisdiction of the United States of America or its territories.
- 2) Approved training consists of successful performance of work relating to professional services, described in Section 5 of the Act.
- 3) A candidate shall have training in the office of a licensed architect which may include branches of Federal, State, County or Municipal governments and branches of the United States Armed Forces.
- 4) Any training claimed by an applicant shall be validated by the supervising architect(s) on forms supplied by the Department.
- 5) Full-time employment with ~~one~~ 1 employer of less than ~~one~~ 1 month duration shall not be counted toward the training requirements of this Section.

- 6) Part-time employment for periods in excess of ~~two~~ 2 consecutive months shall be counted as one half week for each 20 hours of employment.

- 7) Full-time teaching experience of 2 academic years in an approved architecture program will be counted as 1 year training. A maximum of 1 year of training shall be given for teaching experience. Any teaching experience claimed must be validated by the chief administrative officer of the school offering the architectural program.

- 8) An applicant cannot earn more than 40 hours per week of approved training (i.e., overtime does not qualify for additional approved training). One year is considered to be a period of 52 weeks with a minimum of 35 hours per week.

- 9) ~~In lieu of the above training, the Department shall accept the Intern Development Program of the American Institute of Architects National Council of Architectural Registration Boards (AIA/CARB).~~

- c) Diversified Professional Training Commenced after December 31, 1993, shall meet the following requirements:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) To satisfy the Illinois Diversified Professional Training requirements, an applicant must have training credits in accordance with the level of education scheduled under 1150.20 (a)(1) through (a)(4) or have satisfied the IDP training requirements in accordance with Appendix A. An applicant who has satisfied these training standards is expected to have been exposed to the comprehensive practice of architecture. Accordingly, each applicant must demonstrate that his or her training has been sufficiently diversified as to include exposure to each of the training areas set forth in Appendix A and IDP Guidelines. (An applicant with the required number of training credits may nonetheless be denied approval of training if that training is not diversified). The following table sets forth the ways in which training credits may be acquired:

DESCRIPTION OF TRAINING AND CREDITS	PERCENT CREDIT ALLOWED	MAXIMUM CREDIT ALLOWED
A) Training that does not fit these descriptions will receive no credit.		
B) Experience in architecture as an employee in the office of a licensed architect.	100%	No Limit
C) Experience in architecture as an employee of an organization (other than offices of licensed architects) when the experience is under the direct supervision of a licensed architect.	100%	2 Years
D) Experience directly related to architecture under the direct supervision of a professional engineer, landscape architect, planner or interior designer.	50%	1 Year
E) Experience other than A), B) or C) experience, directly related to on-site building construction operations or experience involving physical analyses of existing buildings.	50%	1 Year

DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

- E) A post-professional degree in architecture or teaching or research in an NAAB-accredited architectural program. 100% 1 Year
- 2) Program Requirements
- A) No training credits may be earned prior to satisfactory completion of:
- i) Three years in an NAAB-accredited professional degree program; or
 - ii) The third year of a 4 year pre-professional degree program in architecture accepted for direct entry to an NAAB-accredited professional master's degree program; or
 - iii) One year in an NAAB-accredited professional master's degree program; or
 - iv) 96 semester credit hours as evaluated by Education Evaluation Services for Architects (EESA) in accordance with NCARB Circular of Information No. 3 of which no more than 60 hours can be in the general education category; or
 - v) Five education credits in the circumstances described in (a)(3) and (a)(4) in accordance with Circular of Information No. 3.

Note: 32 semester credit hours or 48 quarter credit hours shall equal one year in an academic program.

- B) No experience used to meet education requirements may be used to earn training credits.
- C) After satisfying Section 1150.20(a), every applicant must earn at least one year of credit under (c)(1)(B).
- D) To earn credits under (c), an applicant must work at least 35 hours per week for a minimum period of 10 consecutive weeks under (c)(1)(B) or six consecutive months under (c)(1)(C), (D), (E) or (F). An applicant may earn one-half of the credits specified under (c)(1)(B) for work of at least 20 hours per week in periods of six or more consecutive months. No credits will be given for part-time work in any category other than (c)(1)(B).

- E) To earn credit under (b)(1)(F), an applicant's credit hours must be in subjects evaluated by NCARB as directly related to architecture; 20 semester credit hours or 30 quarter credit hours of teaching or equivalent time in research will equal one year.
- F) An organization will be considered to be "an office of a licensed architect" if:
- i) The architectural practice of the organization in which the applicant works is in the charge of a person practicing as a principal and the applicant works under the direct supervision of a licensed architect;
 - ii) The organization is not engaged in construction;
 - iii) The organization has no affiliate engaged in construction that has a substantial economic impact upon the person or persons in the organization practicing as a principal; and
 - iv) The architectural practice of the organization encompasses the comprehensive practice of architecture including each of the categories composing such practice set forth in Appendix A and IDP Guidelines.
- G) An organization (or an affiliate) is engaged in construction if it customarily engages in either of the following activities:
- i) Undertakes to provide labor and/or material for all or any significant portion of a construction project, whether on lump sum, cost plus or other basis of compensation, or
 - ii) Agrees to guarantee to an owner the maximum construction cost for all or any significant portion of a construction project.
- H) A person practices as a "principal" by being:
- i) A licensed architect; and
 - ii) The person in charge of the organization's architectural practice, either alone or with other licensed architects.
- I) A "licensed architect" is a person licensed to practice architecture in the jurisdiction in which he/she practices.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) No credit will be given for training in a foreign jurisdiction unless the training was under the direct supervision and control of an architect licensed in a U.S. jurisdiction or training approved by the Department upon recommendation of the Board.
- 4) The verification of training shall be submitted to the Department at the time of application for examination as an architect.
- 5) If the accuracy of any submitted documentation or the relevance or sufficiency of the training is questioned by the Department or the Board because of discrepancies or conflicts information, a need for additional information or information needing further clarification, the applicant will be requested to provide such information as necessary.
- d) In lieu of the above training, the Department will accept successful completion of the Intern Development Program of NCARB.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1150.85 Acts Constituting the Practice of Architecture Pursuant to Section 5 of the Act

- a) Life Safety. Interior alterations which result in life safety or structural changes of the building are subject to the requirements of this Act (Section 3 of the Act). In the practice of architecture, life safety features in buildings include regulatory building code provisions, which, when applied collectively, provide comprehensive safety features to eliminate, reduce or control life or health threatening situations in buildings.

- 1) Examples of life safety features include, but are not limited to, the following:

- A) Compliance with Occupancy Classification requirements
- B) Compliance with Type of Construction Classification requirements
- C) Means of egress, as defined by the Accessibility Code, 71 Ill. Adm. Code, Chapter I, Section 400.210
- D) Fire-rated construction assemblies
- E) Compliance with interior finish requirements (RG-W)
- F) Fire detection, alarm and suppression systems

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- G) Smoke control systems
- H) Compliance with the minimum requirements for the following environmental and habitability systems:
- i) Heating and cooling
 - ii) Natural and artificial illumination
 - iii) Natural and artificial ventilation
 - iv) Physical hygiene
 - v) Accessibility from environmental barrier
- I) Compliance with environmental health regulations
- 2) Alteration means any modification or renovation which involves a structural change or includes, but is not limited to, change in the physical state of permanent fixtures or equipment, remodeling, renovation, rehabilitation, historic preservation/reconstruction, restoration, improvements, extraordinary repairs, mechanical, electrical and plumbing changes, structural changes, changes in design function or layout of rooms, rearrangement of means of egress.
- A) The following work is not included under the definition of "alteration": routine maintenance, interior redecoration, minor mechanical and electrical systems alterations, replacement of plumbing piping or valves, and interior office landscaping rearrangements.
- B) "Extraordinary repairs" means the replacement or renewal of any element of an existing building or facility for purposes other than normal routine maintenance.
- C) "Interior redecoration" means replacement of interior floor, wall and ceiling decorative finishes (such as carpet, wall coverings, paint and paneling), window treatments (such as drapery, blinds and shades), interior space lighting, fixture, furnishings and furniture.
- b) Design/Build
- 1) The design/build project delivery process is a method whereby an entity signs a single contract to provide the client a combination of architectural and construction services. The client is not contracting directly with the architect and then contracting directly with a contractor. The entity is offering and furnishing architectural services. Section 5 of the Act states, in part, that the offering and furnishing of architectural services is the practice of architecture.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

2) The entity will be allowed to practice architecture in the design/build delivery process and will not be required to register as a professional design firm pursuant to Section 21 of the Act, only if the services in the design/build project delivery process are provided by the entity in accordance with the following:

A) An architect licensed or a professional design firm registered in Illinois independently contracts with the entity and participates substantially in all material aspects of the architecture services relating to any bid process, contract negotiations, design, consultation, development, preparation and coordination of construction documents, and verification of adherence to construction documents and completion.

B) At the time of offering services, a written disclosure is given to the client by the entity stating that the architect is engaged by and is contractually responsible to the entity offering design/build project services and the architect remains professionally responsible to the client and the public.

C) The entity agrees that the architect will have direct supervision of the architectural work and the architect's services will not be terminated on the project without the consent of the client.

c) Architectural Competitions

1) Participants in architectural competitions in Illinois shall comply with the Act. All services, such as preliminary design and design development, are to be prepared by or under the direct supervision and control of an Illinois licensed architect.

2) If an architectural competition is conducted in an academic setting or the project is fictitious and will not be constructed, a person/professional design firm is not required to be licensed in Illinois.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 1150. Appendix-A Categories of Diversified Professional Training

a) Categories of diversified professional training and corresponding minimum value unit requirements in each category are as follows (For Total Value Units required for various educational levels - See Section 1150.10(b)(3)(A) and B):

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

CATEGORY A: DESIGN AND CONSTRUCTION DOCUMENTS

Column: (1) (2)

1) Programming	10	20
2) Site and Environmental Analysis	10	20
3) Schematic Design	15	30
4) Building Cost Analysis	10	20
5) Code Research	15	30
6) Design Development	40	80
7) Construction Documents	145	290
8) Specifications and Materials Research	15	30
9) Document Checking and Coordination	15	30
MINIMUM VALUE UNIT TOTALS:	350	700

CATEGORY B: CONSTRUCTION ADMINISTRATION

10) Bidding and Contract Negotiation	10	20
11) Construction Phase-Office	15	30
12) Construction Phase-Observation	15	30
MINIMUM VALUE UNIT TOTALS:	70	140

CATEGORY C: OFFICE MANAGEMENT

13) Project Management	15	30
14) Office Management	10	20
MINIMUM VALUE UNIT TOTALS:	35	70

CATEGORY D: RELATED ACTIVITIES

15) Professional and Community Service	10	20
MINIMUM VALUE UNIT TOTALS:	10	20

Related activities include diversified professional training in energy conservation, computer applications, regional and urban planning, interior design, landscape architecture, construction management, environmental and structural engineering, applied and theoretical research, teaching, historical restoration and professional delineation.

b) The listing above of required minimums in Categories A, B, C and D totals 465 Value Units (VU's) [Column (1)] and 930 VU's [Column (2)] allowing for the additional VU's to be acquired in any of the listed categories. All of the additional VU's may be acquired in one category or distributed among the categories.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

c) Explanation of Requirements

- 1) VU's in categories A, B, C and D may be acquired only if the applicant meets the time requirements of Section 1150.20(c)(2)(D). VU's may be acquired in Category D if the activity is substantial and continuous.
Full VU credit is earned for acceptable full-time employment in the settings described in Section 1150.20(c)(1)(D) and (E) and for acceptable part-time employment in the setting described in Section 1150.20(c)(1)(B).
- 2) No VU's may be acquired prior to meeting the requirements of Section 1150.20(c)(2)(A).
- 3) Applicants with a post-professional degree in architecture or a professional Master of Architecture degree qualify for 235 VU's under Category D.
- 4) An IDP applicant may earn VU's by completing Board-approved supplementary education programs. Supplementary education cannot be used to satisfy the minimum VU requirements in training areas 1-15. No VU's may be earned for supplementary education prior to receiving his or her highest educational degree. (See Section 1150.10(a)).
- 5) The VU's which may be earned under (c)(3) and (4) above may not exceed 235 VU's.
- 6) To satisfy Categories A and B of the training requirements, VU's (including VU's earned from supplementary education) in those categories must be acquired when employed in the settings described in Section 1150.20(c)(1)(B) and (C).
- 7) A minimum of 235 VU's must be acquired in the setting described in Section 1150.20(c)(1)(B) after having received his or her highest educational degree. (See Section 1150.10(a)).
- 8) In evaluating training, the Board may, prior to certification, require substantiation of the quality and character of the training, notwithstanding the fact that the IDP applicant has complied with the technical training requirements set forth above.
- 9) For detailed description of the IDP training categories and supplementary education requirements, see IDP Guidelines.

(Source: Added at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

1) The Heading of the Part:

Podiatric Scholarship and Residency Programs Code

2) Code Citation:

77 Ill. Adm. Code 593

3) Section Numbers:Proposed Action:

593.10	New Section
593.20	New Section
593.30	New Section
593.100	New Section
593.110	New Section
593.120	New Section
593.130	New Section
593.140	New Section
593.200	New Section
593.210	New Section
593.220	New Section
593.230	New Section
593.240	New Section

4) Statutory Authority:

Podiatric Scholarship and Residency Act [110 ILCS 978/1]

5) A Complete Description of the Subject and Issues Involved:

In accordance with the Podiatric Scholarship and Residency Act, the Department is charged with the responsibility of providing grants to podiatric medicine residency programs and scholarships to qualified podiatry students. The program will encourage podiatric physicians to locate in areas where health professional shortages exist and to increase the total number of podiatric physicians in the State.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes _____ No X

7) Does this Rulemaking Contain an Automatic Repeal Date?

Yes _____ No X

ILLINOIS REGISTER

ILLINOIS REGISTER

93

93

DEPARTMENT OF PUBLIC HEALTH

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

NOTICE OF PROPOSED RULES

8) Does this Rulemaking Contain any Incorporations by Reference?

Yes No X

9) Are there any other Proposed Amendments Pending on this Part?

Yes No X

If yes:

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
------------------------	------------------------	---------------------------

10) Statement of Statewide Policy Objectives:

The purpose of the rulemaking is to distribute scholarship and grant monies authorized by the Podiatric Scholarship and Grant Program Act.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761, within 45 days after this issue of the Illinois Register

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act commenting on these rules shall indicated their status as such in their comments,

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:

Small businesses will not be affected by this rulemaking.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

No new reporting procedures will be required for compliance.

D) Types of Professional Skills Necessary for Compliance:

None

The full text of the Proposed Rules begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER g: GRANTS TO DENTAL AND MEDICAL STUDENTS

PART 593

PODIATRIC SCHOLARSHIP AND RESIDENCY PROGRAMS CODE

SUBPART A: GENERAL PROVISIONS

Section

593.10

Definitions

593.20

Incorporated Materials

593.30

Administrative Hearings

SUBPART B: GRANTS TO PODIATRIC PRACTICE RESIDENCY PROGRAMS

Section

593.100

Eligibility for Grants

593.110

Limitations on Use of Grant Funds

593.120

Project Requirements

593.130

Application for Grants

593.140

Selection of Criteria

SUBPART C: PODIATRIC MEDICAL STUDENT SCHOLARSHIPS

Section

593.200

Limitations on Use of Scholarship Funds

593.210

Eligibility for Application

593.220

Criteria for Selecting Scholarship Recipients

593.230

Terms of Performance

593.240

Scholarship Repayments

AUTHORITY: Podiatric Scholarship and Residency Act [100 ILCS 978/1]

SOURCE: Adopted at 17 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 593.10

Definitions

"Act" means the Podiatric Scholarship and Residency Act [10 ILCS 978/1]

"DEPARTMENT" MEANS THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

"DESIGNATED SHORTAGE AREA" MEANS AN AREA DESIGNATED BY THE DIRECTOR AS A PHYSICIAN SHORTAGE AREA, A MEDICALLY UNDERSERVED AREA, OR A CRITICAL HEALTH MANPOWER SHORTAGE AREAS AS DEFINED BY THE UNITED STATES DEPARTMENT OF HEALTH and Human Services, OR AS FURTHER DEFINED BY THE DEPARTMENT TO ENABLE IT TO EFFECTIVELY FULFILL THE PURPOSE STATED IN SECTION 5 OF THE ACT. THESE AREAS MAY INCLUDE THE FOLLOWING:

- 1) AN URBAN OR RURAL AREA;
- 2) A POPULATION GROUP; OR
- 3) A PUBLIC OR NONPROFIT PRIVATE MEDICAL FACILITY (Section 10 of the Act).

"DIRECTOR" MEANS THE DIRECTOR OF THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH. (Section 10 of the Act)

"ELIGIBLE PODIATRY STUDENT" MEANS A PERSON WHO MEETS ALL OF THE FOLLOWING QUALIFICATIONS:

- 1) HE OR SHE IS AN ILLINOIS RESIDENT AT THE TIME APPLICATION FOR SCHOLARSHIP UNDER THE PROGRAM ESTABLISHED BY THIS ACT.
- 2) HE OR SHE IS STUDYING PODIATRIC MEDICINE IN A PODIATRY SCHOOL LOCATED IN ILLINOIS.
- 3) HE OR SHE EXHIBITS FINANCIAL NEED AS DETERMINED BY THE DEPARTMENT.
- 4) HE OR SHE AGREES TO PRACTICE FULL-TIME IN A DESIGNATED SHORTAGE AREA AS A PRIMARY CARE PHYSICIAN ONE YEAR FOR EACH YEAR HE OR SHE IS A SCHOLARSHIP RECIPIENT. (Section 10 of the Act)

"Full-time practice" means maintaining office hours for patient care for at least 20 hours per week.

"MEDICAL FACILITY" MEANS A FACILITY FOR THE DELIVERY OF HEALTH SERVICES AND INCLUDES A HOSPITAL, STATE MENTAL HEALTH INSTITUTION, PUBLIC HEALTH CENTER, OUTPATIENT MEDICAL FACILITY, REHABILITATION FACILITY, LONG-TERM CARE FACILITY, COMMUNITY MENTAL HEALTH CENTER, MIGRANT HEALTH CENTER, A COMMUNITY HEALTH CENTER, OR A STATE CORRECTIONAL INSTITUTION. (Section 10 of

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

the Act)

"Minority" means any person or group of persons who are: (1) African-American (a person having origins in any of the black racial groups in Africa); (2) Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race); (3) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands); or (4) American Indian or Alaskan Native (a person having origins in any of the original peoples of North America).

"PODIATRIC PRACTICE RESIDENCY PROGRAM" MEANS A PROGRAM ACCREDITED BY THE COUNCIL OF PODIATRIC MEDICAL EDUCATION. RESIDENCIES MAY BE PRIMARY CARE OR ROTATING. (Section 10 of the Act)

"PRIMARY CARE PHYSICIAN" MEANS A PERSON LICENSED TO PRACTICE PODIATRIC PODIATRIC MEDICINE UNDER THE PODIATRIC MEDICAL ACT OF 1987. (Section 10 of the Act)

"Residency matching process" means the matching of podiatric medical students with residency training programs in the students selected specialty.

"Residency training" means the years of graduate medical education which follow podiatric medical school and which train the new podiatric physician in his or her chosen specialty.

Section 593.20 Incorporated Materials

The following materials are incorporated or referenced in this Part:

- a) Illinois Statutes
 - 1) Podiatric Scholarship and Residency Act [110 ILCS 978/1]
 - 2) Illinois Podiatric Medical Practice Act of 1987 (Ill. Rev. Stat., ch. 111, par. 4801 et seq.) [225 ILCS 100/1 et seq.]
- b) Illinois and Federal Rules
 - 1) Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)
- c) All incorporations by reference of standards of nationally recognized organizations refer to the standards on the date specified and do not include any additions or deletions subsequent to the date specified.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

Section 593.30 Administrative Hearings

Any administrative hearings conducted by the Department concerning the provisions of this Part shall be governed by the Department's Rules of Practice and Procedure in Administrative Hearings (See 77 Ill. Adm. Code 100).

SUBPART B: GRANTS TO PODIATRIC PRACTICE RESIDENCY PROGRAMS

Section 593.100 Eligibility for Grants

The following educational entities are eligible to apply for grants through this Part:

- a) Any accredited podiatric practice residency program located in Illinois;
- b) Any school of medicine in Illinois with a department of podiatric medicine.

Section 593.110 Limitations on Use of Grant Funds

Grant funds awarded by the Department may only be used to support project expenses and operations.

- a) Grant funds may be used by the applicant to support project expenses, whether incurred at the residency or school's central site or at an affiliated satellite.

- b) Grant funds may be used to support project operations, including those in the following budget categories:

- 1) Personal services expenses of staff directly involved in the project;
 - 2) Medical equipment and supplies necessary for the operation of the project;
 - 3) Staff and resident travel directly related to the project;
 - 4) Nonmedical equipment and supplies necessary for the operation of the project;
 - 5) Contractual services and rent necessary for the operation of the project; and
 - 6) Other expenses critical to the operation of the project.
- c) Grant funds shall not be used to supplant other state or federal grants.
 - d) Grant funds shall not be used to purchase real property or for new construction.

Section 593.120 Project Requirements

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

a) Projects to be funded through this Part shall respond to requests for proposals distributed by the Department delineating project requirements.

b) Requests for proposals prepared by the Department shall address one or more of the following goals:

- 1) INCREASE THE NUMBER OF PODIATRIC PRACTICE PHYSICIANS IN DESIGNATED SHORTAGE AREAS;
- 2) INCREASE THE NUMBER OF ACCREDITED PODIATRIC PRACTICE RESIDENCIES IN ILLINOIS;
- 3) INCREASE THE PERCENTAGE OF PODIATRIC PRACTICE PHYSICIANS ESTABLISHING PRACTICE WITHIN THE STATE UPON COMPLETION OF RESIDENCY;
- 4) PROVIDE FUNDS FOR RENTAL OF OFFICE SPACE, PURCHASE OF EQUIPMENT AND OTHER USES NECESSARY TO ENABLE PODIATRISTS TO LOCATE THEIR PRACTICE IN COMMUNITIES LOCATED IN DESIGNATED SHORTAGE AREAS. (Section 15 (a) of the Act)

c) Projects shall have a director who is a board certified podiatric physician who oversees the educational and professional components of the program and who is eligible to be a faculty member of a school of podiatric medicine.

d) Project directors shall annually submit fiscal and program objective progress reports.

Section 593.130 Application for Grants

a) Applications shall be submitted which describe the applicant's proposed methods to achieve the goal(s) specified in the Department's request for proposals.

b) Applications shall be prepared and distributed by the Department to eligible applicants.

c) Applications shall be in two formats--one for new projects and one for the subsequent years of a continuing project.

1) New Department project applications shall include:

A) summary statement of the applicant's plan of action to address the goal(s) described in the Department's request for proposals;

B) a description of the geographic area or special population group to be served by the applicant's project, a statement of the special needs of the

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

area or group, (e.g., lack of health care providers, high incidence of disease, economic barriers to care and an explanation of the manner in which the proposed project would meet those needs;

C) a statement of measurable and relevant objectives the applicant proposes to achieve in the first year of the project as well as its longer term goals;

D) a work plan and time table for achievement of the objectives;

E) an evaluation plan which will allow documentation of the project's progress in meeting the particular needs of the area or group described in item (B) above;

F) a description of the podiatric medical student or resident involvement in the project including numbers participating, amount of academic time involved, and whether involvement will be a required or an optional experience for the student or resident;

G) a description of the education benefits the project would offer students or residents which, without the project, would not be available to them;

H) a description of the project's relationship to other activities and goals of the school or the residency program;

I) a detailed budget with narrative explanation of the request;

J) for residency program applicants, a summary report for the most recent five-year period of the percent of its graduates who have practiced in Illinois; and, if available, a count of those who have established practices in underserved areas of Illinois.

2) Continuing Department project applications shall include:

A) progress report on the prior project year's activities, including accomplishments in meeting objectives, impact on needs of area or population group served, amount of student and/or resident involvement, and educational benefits achieved;

B) summary statement of any changes in plan of action;

C) description of changes in area or population group being served;

D) statement of measurable objectives for the new project year;

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

- E) work plan and time table to meet the objectives;
- F) an evaluation plan for the new objectives;
- G) a detailed budget with narrative description; and
- H) for residency program applicants, a report on practice location of the most recent graduates.

Section 593.140 Selection of Criteria

a) Priority in the selection of applicants for funding shall be given to those projects that can demonstrate the greatest impact on availability of podiatric care for designated shortage areas or for population groups with special needs. Such an impact shall be demonstrated in the following manner:

- 1) applicants which are located in a designated shortage area or can demonstrate that a significant percentage of patients served at their existing clinic sites reside in designated shortage areas;
- 2) applicants which have presented a plan to significantly increase the number of individuals residing in designated shortage areas who shall become patients at the proposed projects; and
- 3) applicants which can demonstrate a significant number of patients to be seen at the proposed project will be members of a population group with special needs (See Section 590.130(c)(1)(B)).

b) Applicants which can demonstrate the greatest level of residents' involvement in the proposed project shall receive priority consideration.

c) Applicants which can demonstrate the proposed project meets an educational need not available or insufficient in scope at the main residency location shall receive priority consideration.

d) Applicants which can demonstrate the lowest ratio of Podiatric Scholarship and Residency Act funds to total project cost shall receive priority consideration.

e) Applicants which can demonstrate a commitment to training podiatric practice physicians to meet the health care needs of designated shortage areas or population groups with special needs shall receive priority consideration. A commitment can be demonstrated in the number of ways, including:

- 1) specific projects or activities targeted at population groups with special needs

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

and/or populations residing in designated shortage areas, which were supported by sources other than Podiatric Scholarship and Residency Act funds;

- 2) evidence of residency support, either financial or peer, for its graduates who have established practices in designated shortage areas; and
 - 3) higher percentages of residency graduates who have established practices in Illinois and in designated shortage areas.
- f) Additional consideration shall be given for those projects meeting any of the following guidelines:

- 1) those WHICH ARE TO BE ESTABLISHED AT LOCATIONS WHICH EXHIBIT POTENTIAL FOR EXTENDING PODIATRIC PRACTICE PHYSICIAN AVAILABILITY TO DESIGNATED SHORTAGE AREAS;
- 2) those WHICH ARE LOCATED AWAY FROM COMMUNITIES IN WHICH MEDICAL SCHOOLS ARE LOCATED; and
- 3) those LOCATED IN HOSPITALS HAVING AFFILIATION AGREEMENTS WITH MEDICAL SCHOOLS LOCATED WITHIN THE STATE. (Section 15(b) of the Act)

SUBPART C: PODIATRIC MEDICAL STUDENT SCHOLARSHIPS

Section 593.200 Limitations on Use of Scholarship Funds

- a) Scholarships shall cover the cost of tuition and matriculation fees.
- b) Scholarship funds shall be expended by the recipient only while enrolled and in good academic standing at a podiatric medical school.
- c) Scholarship funds shall not be awarded for expenses incurred when the student must repeat more than once an academic term or terms, if the repetition is necessary because the student has an academic performance below an acceptable level as determined by the student's podiatric medical school.
- d) Scholarship funds shall be provided to the recipient's podiatric medical school. All funds for tuition and fees are to be expended only on the medical student's behalf.
- e) Scholarship funds shall not be awarded to any podiatric medical student for more than two academic years.

Section 593.210 Eligibility for Application

NOTICE OF PROPOSED RULES

- a) Students eligible to apply for Podiatric Student Scholarships shall meet the following qualifications:

- 1) HE OR SHE IS AN ILLINOIS RESIDENT AT THE TIME OF APPLICATION;
- 2) HE OR SHE IS STUDYING PODIATRIC MEDICINE, or is accepted for enrollment, IN A PODIATRY SCHOOL LOCATED IN ILLINOIS;
- 3) HE OR SHE EXHIBITS FINANCIAL NEED AS DETERMINED BY THE DEPARTMENT, using financial analysis information provided by the applicant and accepted by his or her podiatry school. The Department shall find a financial need when the information provided reveals a deficit in available funds for tuition and fees; and
- 4) HE OR SHE AGREES TO PRACTICE FULL-TIME IN A DESIGNATED SHORTAGE AREA AS A PODIATRIC PHYSICIAN ONE YEAR FOR EACH YEAR HE OR SHE IS A SCHOLARSHIP RECIPIENT. (Section 10 of the Act)

- b) Students receiving funds from other scholarship or loan funds requiring service commitments that would prevent the applicant from meeting the requirements of the Podiatric Scholarship shall not be eligible for scholarships described in this Subpart.

Section 593.220 Criteria for Selecting Scholarship Recipients

- a) The Department shall allocate podiatric scholarship monies to podiatric medical schools for scholarship award. Such podiatric medical schools shall utilize the following criteria in the selection of scholarship recipients. Preference shall be given to those scholarship applicants who, in written narratives and personal interviews, can demonstrate the following:

- 1) interest in pursuing podiatric medicine;
- 2) previous experience with medically underserved populations;
- 3) previous experience in the health care delivery system, with preference given to those whose experience has involved one of the primary care specialty areas;
- 4) academic capabilities as reported by the applicant's podiatric medical school;
- 5) financial need as reported by standard financial analysis documentation supplied by the applicant's podiatric medical school on the student's behalf;
- 6) greater number of years of podiatric medical school remaining;

NOTICE OF PROPOSED RULES

- 7) stated interest in providing podiatric care to Illinois citizens residing in designated shortage areas of Illinois;
 - 8) most number of years of residence in Illinois; and
 - 9) United States citizens, or those granted permanent residence in the United States by the Immigration and Naturalization Service.
- b) Of all applicants, priority is given to those individuals who have previously received a Podiatric Student Scholarship, providing that:
- 1) recipient requests, in a format determined by the Department, a continuation of scholarship funds;
 - 2) recipient would not be repeating the same year of school for the second consecutive year because of poor academic performance; and
 - 3) recipient has not voluntarily withdrawn from podiatric medical school.
- c) Minority students as defined in Section 593.10 shall be given preference in selection for scholarships.

Section 593.230 Terms of Performance

- a) Each scholarship recipient shall sign a written contract. The contract contains additional terms and conditions which ensure compliance with this Part, the laws of the State of Illinois, and enforcement of the contract.
- b) Scholarship recipients who fail to complete podiatric medical school due to academic failure, as documented by recipient's school, shall be discharged from all obligations.
- c) Scholarship recipients who fail to complete podiatric medical school due to voluntary actions on their part shall repay to the Department all scholarship monies. Repayment shall be made in such a manner as agreed to by the recipient and the Department in the recipient's contract.
- d) In the event the scholarship recipient is disabled or is otherwise unable for reasons beyond the recipient's control to perform the scholarship's obligations, these obligations shall be suspended until such time as the scholarship recipient is able to resume the scholarship obligations. Such suspension shall be requested in writing by the scholarship recipient. The Department's acceptance or denial of the suspension request will be provided in writing, under the Director's signature. The Department shall accept a request for a suspension when supported by a letter from the recipient's physician attesting to the recipient's inability (either temporarily or permanently) to continue (either school or the

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

practice of podiatric medicine and the recipient's agreeing to not continue either his or her medical education (or the practice of podiatric medicine) in any state.

- e) Misrepresentation of the facts presented in the recipient's application shall be considered a breach of contract. The recipient's school shall be notified to halt further disbursements of scholarship funds and all funds provided by the Department to the student shall be due in full, immediately.

Section 593.240 Scholarship Repayments

- a) Upon the Illinois licensure of the scholarship recipient to practice podiatric medicine, the recipient shall provide primary health care in a designated shortage area of Illinois. The term of this service shall be one year for each academic year he or she is a scholarship recipient.

- b) Service as a physician shall begin no later than 30 days after the licensure of the recipient to practice medicine.

- 1) Service shall be deferred by the Department until recipient completes a podiatric care residency; service shall begin no later than 30 days after completion.

- 2) If recipient leaves the residency program prior to completion, service shall begin with 30 days.

- c) The recipient's internship, residency or other advanced clinical training does not qualify as service repayment of the scholarship obligation.

- d) Written approval of the Department for a proposed practice location shall be requested and received by the scholarship recipient.

- 1) Without such approval, time in practice at such a location shall not meet scholarship recipient's service obligation.

- 2) The scholarship recipient may request and receive approval for a practice location up to 18 months preceding the time practice at the location is to begin.

- 3) Approval for a practice location is granted for the duration of the scholarship recipient's service obligation.

- e) The scholarship recipient's practice shall meet the following requirements:

- 1) be located in a designated shortage area;
- 2) be a full-time, office-based practice providing direct patient care; and

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

- 3) be providing continuous service at the rate of 12 months for each academic year of podiatric medical school supported by the scholarship.

- f) Scholarship recipients may relocate to another practice location, or practice in more than one location if prior written approval is granted by the Department.

- g) Scholarship recipients shall enter into a written contract with the Department which describes terms of the service obligation and contains provisions for enforcement of the contract.

- h) SCHOLARSHIP RECIPIENTS WHO FAIL TO FULFILL THEIR OBLIGATION TO PRACTICE IN DESIGNATED SHORTAGE AREAS SHALL PAY TO THE DEPARTMENT A SUM EQUAL TO 3 TIMES THE AMOUNT OF THE ANNUAL SCHOLARSHIP GRANT FOR EACH YEAR THE RECIPIENT FAILS TO FULFILL THAT OBLIGATION. (Section 30 of the Act)

- 1) Payment shall be made in equal monthly installments in such amounts so all sums due shall be paid within a period of time equal to the recipient's service term, or remaining portion thereof, or as otherwise approved by the Department.

- 2) Recipient and Department shall enter into a written contract which describes terms of the repayment and contains provisions for enforcement of the contract.

- i) In the event a scholarship recipient fails to pay monies owed the Department, the Department may refer the matter to the Attorney General or to a collection agency.

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
 SUBTITLE B: HORSE RACING
 CHAPTER I: ILLINOIS RACING BOARD
 SUBCHAPTER c: RULES APPLICABLE TO ALL OCCUPATION LICENSEES

PART 502
 LICENSING

SUBPART A: PROCEDURE

Section
 502.10
 502.20
 502.30
 502.40
 502.50
 502.55
 502.58

Submission of Application
 Complete Application
 License Fees
 Duration and Extent of Occupation Licenses
 Rulings and Hearings
 Denial of License
 License to Participate

SUBPART B: STATUTORY GROUNDS FOR DENIAL OF A LICENSE

Section
 502.60
 502.72
 502.76
 502.78
 502.80
 502.90
 502.100
 502.102
 502.104

Denial of a License for Criminal Conviction
 First-Time Applicant Who Has Been Convicted of a Crime
 Prohibitions Against Persons on Conditional Discharge, Parole,
 Probation or Supervision
 Probationary Nature of Licenses
 Unqualified to Perform the Duties
 Falsifying Answers or Omitting Facts
 Just Cause
 Burden of Going Forward
 Denial of a License for Just Cause in Illinois or in Another
 Racing Jurisdiction

SUBPART C: GENERAL CRITERIA

Section
 502.110
 502.115

Criteria for Determining Eligibility
 Standards Required of All Applicants

SUBPART D: OWNERS

Section
 502.120

Owners

- 1) Heading of the Part: Licensing
- 2) Code Citation: 11 Ill. Adm. Code 502
- 3) Section Numbers: 502.220 Proposed Action: Amendment
502.290
- 4) Statutory Authority: 230 ILCS 1992, 5/1 et seq.
- 5) A complete description of the subjects and issues involved: The amendment to Section 502.220 outlines the limitation on affidavits submitted by trainers regarding worker's compensation. The amendment to Section 502.290 clarifies language.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending in this Part? No
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:
All comments should be submitted in writing, within 30 days of this notice, to:

Illinois Racing Board, Legal Department
100 West Randolph, Ste. 11-100
Chicago, Illinois 60601
- 12) Initial Regulatory Flexibility Analysis:
 - A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 9, 1993
 - B) Types of small business affected: None
 - C) Reporting, bookkeeping or other procedures required for compliance: None
 - D) Types of professional skills necessary for compliance: None.

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

SUBPART E: TRAINERS AND ASSISTANT TRAINERS

Section
502.200 Trainers and Assistant Trainers
502.210 Prospective Trainers or Assistant Trainers
502.220 Workers' Compensation

SUBPART F: JOCKEYS AND APPRENTICE JOCKEYS

Section
502.230 Jockeys and Apprentice Jockeys
502.235 Apprentice Jockeys, Criteria for Eligibility
502.238 Apprentice Contract or Certificate

SUBPART G: DRIVERS

Section
502.250 Harness Driver
502.260 Prospective Harness Drivers
502.270 "Q" Licenses
502.280 "P" Licenses
502.290 "A" Licenses

SUBPART H: OTHER LICENSEES

Section
502.300 Veterinarians
502.320 Veterinary Assistant
502.350 Farriers (Blacksmiths)
502.380 Exercise Riders
502.400 Pony Person
502.450 Stable Foreman
502.500 Jockey Agents
502.600 Authorized Agents
502.650 Tack Shop Operators and Other Vendors
502.660 Vendor Helper
502.680 Thoroughbred Grooms
502.690 Harness Grooms
502.700 Hotwalker
502.790 Totalizer Employee

SUBPART I: CONFLICTS OF INTEREST

Section
502.800 General Provisions
502.820 Dual Licensing
502.830 Limitations on License

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

502.840 Husbands and Wives
502.850 Transfer of a Horse

AUTHORITY: Implementing Section 15 and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1991 ch. 8, pars. 37-9(b) [230 ILCS 5]).

SOURCE: Emergency rule adopted and codified at 6 Ill. Reg. 9711, effective July 27, 1982, for a maximum of 150 days; adopted and codified at 6 Ill. Reg. 13786, effective October 25, 1982; amended at 7 Ill. Reg. 5225, effective April 1, 1983; amended at 11 Ill. Reg. 20611, effective January 1, 1988; amended at 13 Ill. Reg. 1562, effective January 23, 1988; amended at 13 Ill. Reg. 4931, effective March 22, 1989, amended at 14 Ill. Reg. 17641, effective October 16, 1990; amended at 15 Ill. Reg. 11985, effective August 12, 1991; amended at 16 Ill. Reg. 12774, effective July 31, 1992; amended at 17 Ill. Reg. _____, effective _____.

NOTE: Capitalization Denotes Statutory Language.

Section 502.220 Workers' Compensation

An applicant for a trainer's license shall elect to be bound by the provisions of the Workers' Compensation Act (Ill. Rev. Stat. 1985 1993, ch. 48, pars. 138.1 through 138.28 [820 ILCS 305/1-28]) ~~as now or hereinafter amended~~ and shall, accordingly, comply with the provisions of Section four of said Act; and shall, at the time of submitting an application for a trainer's license, attach to said application a certificate of compliance or certificate of approval from the Industrial Commission of the State of Illinois that said trainer has complied with the provisions of said Workers' Compensation Act.

a) For the purposes of this Section, a person shall be deemed to be in the service of the applicant and therefore, an "employee" within the meaning of Workers' Compensation Act (Ill. Rev. Stat. 1985/1993, ch. 48, par. 138.1(b)(2) [820 ILCS 305/1]) whenever the applicant has the right to control and direct such person, not only as to the result to be accomplished; provided that, it is not necessary that the applicant actually direct or control the manner in which the work is performed, if the applicant has the right to do so.

b) In determining whether an employer-employee relationship exists under subsection (a) above, the furnishing of tools and a place to work by the applicant to such person performing the work shall be considered factors characteristic of an employer.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

c) If the criteria of subsection (a) above, are satisfied, an employer-employee relationship shall be deemed to exist, regardless of the description or designation by the parties themselves, and it shall be of no consequence that the person performing the work is designated as partner, co-adventurer, agent, independent contractor, or the like. Such employer-employee relationship includes, but is not limited to, persons performing the services of groom, hotwalker, and exercise person.

d) ~~WHEREAS~~/ If a trainer of harness horses has no employees, and contemplates none, he shall attach an affidavit to this effect with his application upon a form to be supplied by the Board. If thereafter, said trainer does become an employer, he shall comply with this Section and supply to the Board the applicable certificate. This sub-section does not apply to trainers of thoroughbred horses.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 502.290 "A" Licenses

The holder of a "p" license shall be considered for an "A" or full license upon completion of one of the following:

a) The applicant has at least one year's experience while driving with a "p" license plus 25 pari-mutuel starts in the prior ~~calendar~~/year twelve month period; or

(Source: Amended at 17 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Stewards

2) Code Citation: 11 Ill. Adm. Code 1402

3) Section Numbers:
 1402.20
 1402.30
 1402.50
 1402.70
 1402.90
 1402.120
 1402.240
 1402.245
 1402.250
 1402.260
 1402.280

Proposed Action:
 Amendment
 Amendment
 Amendment
 Amendment
 Amendment
 Repealed
 Added
 Amendment
 Amendment
 Added

4) Statutory Authority: 230 ILCS 1992, 5/1 et seq.

5) A complete description of the subjects and issues involved: This rulemaking outlines the duties and scope of action of the state steward and chief steward at race meetings in Illinois.

6) Will these proposed amendments replace emergency amendments currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporation by reference? No.

9) Are there any other proposed amendments pending in this Part? No

10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

All comments should be submitted in writing, within 30 days of this notice, to:

Illinois Racing Board, Legal Department
 100 West Randolph, Ste. 11-100
 Chicago, Illinois 60601

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 29, 1993
- B) Types of small business affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
 SUBTITLE B: HORSE RACING
 CHAPTER I: ILLINOIS RACING BOARD
 SUBCHAPTER 9: RULES AND REGULATIONS OF HORSE RACING
 (THOROUGHBRED)

PART 1402
STEWARDS

Section	Definition
1402.10	Number of
1402.20	State Steward
1402.30	Assistants to Stewards
1402.40	Powers of Stewards
1402.50	Settle Racing Questions
1402.60	Penalties Imposed by Stewards
1402.70	Supervise Declarations and Entries
1402.80	Accept Decision of Stewards
1402.90	Control Of and Access to Grounds
1402.100	Exclusion
1402.110	Persons Under Suspension
1402.120	Steward's Deputy
1402.130	May Fill Vacancies
1402.140	Starting Time
1402.150	Seek Proof of Qualification
1402.160	Examination of Horse
1402.170	Minute Book
1402.180	Reports
1402.190	Paddock Judge
1402.200	Disqualification
1402.210	Substitute Riders, Trainers
1402.220	Consult Veterinarian
1402.230	Limit On Authority (Repealed)
1402.240	Stewards' Notice
1402.245	Final Report
1402.250	Cases and Penalties
1402.260	Stewards Supersede Other Officials
1402.270	Authority to Declare a Race Void
1402.280	

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979, ch. 8, par. 37-9(b) [230 ILCS 5]).

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended June 12, 1973; filed March 22, 1974; amended June 19, 1976, filed June 25, 1976; codified at 5 Ill. Reg. 10959; amended at 5 Ill. Reg. 13722, effective December 2, 1981, amended at 17 Ill. Reg. _____, effective _____.

NOTICE OF PROPOSED AMENDMENTS

a) There shall be three stewards to supervise each race meeting, ~~one~~ two of whom shall be appointed by the Illinois Racing Board and shall be designated as state stewards.

- a) There shall be three stewards to supervise each race meeting, one ~~two~~ of whom shall be appointed by the Illinois Racing Board and shall be designated as state stewards.
- b) No more than three persons, including the state stewards, shall be appointed or serve as stewards at any one time during a meeting.
- c) The Racing Board shall designate one of the two stewards as the Chief Steward.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

a) The Chief state \$Steward is the presiding steward at all race tracks at which he serves under the jurisdiction of the Illinois Racing Board. All other stewards shall report to the Chief state \$Steward all action taken by them.

- a) The Chief state \$teward is the presiding steward at all race tracks at which he serves under the jurisdiction of the Illinois Racing Board. All other stewards shall report to the Chief state \$teward all action taken by them.
- b) ~~The~~ One of the state stewards shall lock all pari-mutuel ticket issuing machines and sound the off bell when the horses leave the starting gate. The horses shall be at the starting gate at post time, which shall not be changed after the horses leave the paddock. The starter shall immediately load the horses in the starting gate and start the horses as soon as possible thereafter in order to avoid excessive delay. The state stewards may delay compliance with this rule in unusual circumstances.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

The stewards shall have control over all the other officials of the meeting and of all owners, trainers, jockeys, grooms and all other persons attendant on the race.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

The stewards shall have the power to suspend or revoke an occupation license or to impose a civil penalty not to exceed \$5,000 or both, for a violation of the rules. ~~If, in the opinion of the stewards, a license should be revoked, they shall so recommend to the Board.~~

Source: Amended at 17 Ill. Reg. _____, effective _____.

NOTICE OF PROPOSED AMENDMENTS

Section 1402.90 Accept Decision of Stewards

Participants in racing in any capacity on licensed Illinois tracks agree in so doing to accept the decision of the stewards on any questions relating to a race or to racing.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1402.120 Persons Under Suspension

No one under suspension by the Board or the Board of Stewards shall be allowed on the grounds of any operator unless authorized to be there by the Board or the Board of Stewards.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1402.240 Limit On Authority (Repealed)

THE DUTIES OF THE STEWARDS, AS LISTED IN OTHER VOLUMES OF THE JOURNAL, NO WAY LIMIT THE AUTHORITY OF THE STEWARDS TO CARRY OUT THOSE OR ANY OTHER DUTIES DEEMED TO THEM.

(Source: Repealed at 17 Ill. Reg. _____, effective _____)

Section 1402.245 Stewards' Notice

The stewards may take notice of any questionable conduct with or without complaint thereof.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 1402.250 Final Report

At the close of each meeting, each steward shall make a written report to the Secretary for Executive Director of the Illinois Racing Board of the condition of the meeting and any recommendation he deems advisable.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1402.260 Cases and Penalties

Should any case occur which may or may not be covered by these Rules and Regulations, it shall be determined by the stewards of the meeting in conformity with justice and the usage of the turf; and when no penalty is

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

provided, the stewards of the meeting are hereby given authority to impose such penalties ~~subject to the provisions of the preceding~~ pursuant to section 1402.70 hereof as they think just, recommending to the Board the imposition of more severe penalties if, in their judgment, the penalty should be more drastic.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1402.280 Authority to Declare a Race Void

The stewards shall have the authority to declare a race void and to order all wagers made thereon refunded if they shall determine that any occurrence before or during the running of such race calls for such action by them.

(Source: Added at 17 Ill. Reg. _____, effective _____)

1) Heading of the Part: Advisory Councils2) Code Citation: 89 Ill. Adm. Code 5153) Section Numbers: Proposed Action: _____

515.100	Amended
515.110	New Section
515.120	New Section
515.130	New Section
515.140	New Section
515.150	New Section
515.400	Amended
515.410	New Section
515.420	New Section
515.430	New Section
515.440	New Section
515.450	New Section

4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434 et seq.) [20 ILCS 2405 et seq.] and Sections 6.23 & 8 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 6.23 and 8). [20 ILCS 5/6.23]; and the Bureau for the Blind Act (Ill. Rev. Stat. 1991, ch. 23, par. 3411 et seq.) [20 ILCS 2410/1 et seq.].5) A Complete Description of the Subjects and Issues involved: The amendments are being made pursuant to the 1992 Amendments to the Rehabilitation Act and pending amendments to the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434, et seq.) [20 ILCS 2405 et seq.] and the Civil Administrative Code (Ill. Rev. Stat. 1991, ch. 127, par. 6.23) [5 ILCS 5/6.23] regarding the composition, terms and duties of the Rehabilitation Services Advisory Council and the State Independent Living Council.6) Will this proposed rule replace an emergency rule currently in effect? Yes _____7) Does this rulemaking contain an automatic repeal date? Yes _____ No X _____8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No _____9) Are there any other amendments pending on this Part? No _____

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Amendment(s) is identical to the text of the Emergency Rule which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Appeals and Hearings

2) Code Citation: 89 Ill. Adm. Code 510

3) Section Numbers: Proposed Action:
510.5 New Section
510.10 Amended
510.20 Amended
510.30 Amended
510.40 Amended
510.50 Amended
510.60 Amended
510.70 Amended
510.80 Amended
510.90 Amended
510.100 Amended
510.105 New Section
510.110 Amended
510.120 Amended

4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3429(g)) [20 ILCS 2405/0.01], and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16].

5) A Complete Description of the Subjects and Issues involved: The 1992 Amendments to the Rehabilitation Act substantially revised the client appeals process. These amendments are in response to the amendments.

6) Will this proposed rule replace an emergency rule currently in effect? Yes _____ No _____

7) Does this rulemaking contain an automatic repeal date?
Yes _____ No X

8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warrner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429
 Telephone number: (217) 785-3896
 TTY/TDD: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) is identical to the text of the Emergency Rule which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Application
- 2) Code Citation: 89 Ill. Adm. Code 557
- 3) Section Numbers: Proposed Action:
 557.10 Amended
 557.20 Repealed
 557.30 Amended
 557.40 Amended
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b) and (k)].
- 5) A Complete Description of the Subjects and Issues involved: These amendments update the requirements for application for Vocational Rehabilitation services pursuant to the Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973.
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date? ___ Yes X No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No

- Section Numbers Proposed Action Illinois Register Citation
- 10) Statement of Statewide Policy Objectives (if applicable):
 This is not applicable to this Rulemaking.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warrner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) is identical to the text of the emergency action which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Assessment for Determining Eligibility and Rehabilitation Needs

- 2) Code Citation: 89 Ill. Adm. Code 553

- 3) Section Numbers: Proposed Action:

553.10	New Section
553.20	New Section
553.30	New Section
553.40	New Section
553.50	New Section
553.60	New Section
553.70	New Section
553.80	New Section
553.90	New Section
553.100	New Section
553.110	New Section
553.120	New Section
553.130	New Section
553.140	New Section

- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

- 5) A Complete Description of the Subjects and Issues Involved:
This new Part prescribes the new criteria of eligibility for an individual applying for services through DORS' Vocational Rehabilitation (VR) Program. P.L. 102-569 implements a new set of criteria, components and method for determining necessary VR services.

This new Part replaces 89 Ill. Adm. Code 552 - ELIGIBILITY.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes _____ No _____

- 7) Does this rulemaking contain an automatic repeal date?
Yes _____ No ☒

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF PROPOSED REPEALER

10) Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.

11) Time, place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) is identical to the text of the emergency rules which appear in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF PROPOSED RULES

1) Heading of the Part: Auxiliary Aids

2) Code Citation: 89 Ill. Adm. Code 540

3) Section Numbers: Proposed Action:

540.10 Repealed
540.20 Repealed
540.30 Repealed
540.40 Repealed
540.50 Repealed

4) Statutory Authority: Implementing and authorized by Sections 3(k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(k)) [20 ILCS 2405/3(k)].

5) A Complete Description of the Subjects and Issues involved: This Section is being repealed and the information added to new Part 590: Services

All changes are in response to the 1992 Amendments to the Rehabilitation Act.

6) Will this proposed rule replace an emergency rule currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date?

Yes ☒ No ☐

8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.

11) Time, place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Repealer is identical to the text of the Emergency Repealer which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Client Financial Participation

- 2) Code Citation: 89 Ill. Adm. Code 562

- 3) Section Numbers: Proposed Action:
562.20 amended
562.30 amended
562.40 amended
562.60 amended
562.70 amended
562.80 amended
562.90 amended

- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3 (a), (b) and (k)].

- 5) A Complete Description of the Subjects and Issues Involved: These amendments are being made pursuant to the 1992 Amendments to the Rehabilitation Act and to generally revise DORS' rules on client financial participation for clarity and conciseness.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes _____ No _____

- 7) Does this rulemaking contain an automatic repeal date? Yes _____ No _____

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

- Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF PROPOSED AMENDMENTS

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) is identical to the text of the Emergency Rule(s) that appear in this issue of the Register on page .

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Closure
- 2) Code Citation: 89 Ill. Adm. Code 617
- 3) Section Numbers: Proposed Action:
617.20 Amendments
617.30 Amendments
617.55 Amendments
617.60 Amendments
617.80 Amendments
617.110 Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)]

- 5) A Complete Description of the Subjects and Issues involved: The amendments contain changes to the criteria and resultant actions for closure of a Vocational Rehabilitation (VR) case pursuant to the Rehabilitation Act Amendments of 1992 (P.L. 102-569) which amends the Rehabilitation Act of 1973.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date? Yes X No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No

- 10) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the proposed amendment(s) are identical to the text of the emergency amendments which appear in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Comparable Benefits
- 2) Code Citation: 89 Ill. Adm. Code 567
- 3) Section Numbers:

567.20	<u>Proposed Action:</u>
567.30	Amendments
567.100	Amendments
- 4) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k), of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)), [20 ILCS 2405/3(a), (b), and (k)].
- 5) A Complete Description of the Subjects and Issues involved: These amendments are being made pursuant to the Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973 and to further clarify DORS rules as they pertain to Comparable Benefits.
Changes to Section 567.20 clarify that DORS may not consider non-restricted monetary merit awards as available income and Comparable Benefits and that a client may use such awards in any manner he/she chooses.
Sub-section 567.30(d) is added as a direct result of P.L. 102-569 which exempts the need to use Comparable Benefits, as stated.
Changes to 567.100 merely reflect the addition of sub-section 567.30(d).
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory/Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) is identical to the text of the emergency amendments which appear in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Criteria for the Evaluation of Programs of Services in Community Rehabilitation Programs
- 2) Code Citation: 89 Ill. Adm. Code 530

<u>Section Numbers:</u>	<u>Proposed Action:</u>
530.5	Amended
530.10	Amended
530.110	Amended
530.130	Amended
530.140	Amended
530.200	Amended
530.230	Amended
530.240	Amended
530.240	New Section
530.250	Amended
530.260	Amended

- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434) [20 ILCS 2405/3] and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16].

- 5) A Complete Description of the Subjects and Issues involved: The 1992 Amendments to the Rehabilitation Act make changes to the area of services provided by Community Rehabilitation Programs (formerly, Rehabilitation Facilities). These changes are being made to ensure DORS' rules are in compliance with these changes and to provide further clarification regarding requirements of Programs providing services to DORS clients.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes _____ No _____

- 7) Does this rulemaking contain an automatic repeal date? Yes _____ No _____

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Amendment(s) is identical to the text of the Emergency Rule which appears in this issue of the Register on page .

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

- | 1) | Heading of the Part: | Eligibility |
|----|--------------------------------------|------------------|
| 2) | Code Citation: 89 Ill. Adm. Code 552 | |
| 3) | Section Numbers: | Proposed Action: |
| | 552.10 | Repealed |
| | 552.20 | Repealed |
| | 552.30 | Repealed |
| | 552.35 | Repealed |
| | 552.40 | Repealed |
| | 552.50 | Repealed |
| | 552.60 | Repealed |
| | 552.70 | Repealed |
| | 552.80 | Repealed |
| | 552.90 | Repealed |
| | 552.100 | Repealed |
| | 552.110 | Repealed |
| | 552.120 | Repealed |

- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

- 5) A Complete Description of the Subjects and Issues involved:
The Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amended the Rehabilitation Act of 1973 dramatically change the eligibility criteria, determination time frames and the assessment for necessary services through DORS' Vocational Rehabilitation (VR) Program thus making this part obsolete.

The new criteria for eligibility, etc. is now found at 89 Ill. Adm. Code 553 - ASSESSMENT FOR DETERMINING ELIGIBILITY AND REHABILITATION NEEDS.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes _____ No _____

- 7) Does this rulemaking contain an automatic repeal date?
Yes _____ No _____

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Illinois Center for Rehabilitation and Education/Community Residential Services for the Blind and Visually Impaired

2) Code Citation: 89 Ill. Adm. Code 730

Section Numbers:	Proposed Action:
730.10	Amended
730.20	Amended
730.30	Amended
730.200	Amended
730.210	Amended
730.220	Amended
730.230	Amended
730.250	Amended
730.400	Amended
730.410	Amended
730.420	Amended
730.430	Amended
730.440	Amended
730.460	Amended
730.600	Amended
730.650	Amended

4) Statutory Authority: Implementing and authorized by Sections 3(b), (f), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(b), (f), and (k)) [20 ILCS 2405/3(b), (f), and (k)].

5) A Complete Description of the Subjects and Issues involved:

6) Will this proposed rule replace an emergency rule currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date? Yes ☒ No

8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives (if applicable): This is not applicable to this Rulemaking.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives (if applicable): This is not applicable to this Rulemaking.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Repealer is identical to the text of the Emergency Repealer which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) is identical to the Emergency Rule which appears in this issue on the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Impartial Hearing Officer Standards
- 2) Code Citation: 89 Ill. Adm. Code 1177
- 3) Section Numbers: Proposed Action:
1177.10 Amendments
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3429(g)) [20 ILCS 2405/0.01], authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16), [20 ILCS 5/16] and Section 10-20 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1010-20) [5 ILCS 100/10-20].
- 5) A Complete Description of the Subjects and Issues involved: These amendments implement more stringent standards for Impartial Hearing Officers pursuant to the Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973.
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes
Yes ☐ No ☒
- 7) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Amendment(s) is identical to the text of the emergency amendments that appear in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Individualized Written Rehabilitation Program (IWRP)

- 2) Code Citation: 89 Ill. Adm. Code 572

- 3) Section Numbers: Proposed Action:

572.20	Amendments
572.30	New Section
572.50	Amendments
572.60	Amendments
572.70	Amendments
572.80	Amendments
572.90	Amendments
572.100	Amendments
572.110	New Section

- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].
- 5) A Complete Description of the Subjects and Issues involved: These amendments and new Sections add and revise the requirements for inclusion in the IWRP pursuant to (P.L. 102-569).

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes _____ No _____

- 7) Does this rulemaking contain an automatic repeal date? Yes _____ No _____

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives (if applicable): This is not applicable to this Rulemaking.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

ILLINOIS REGISTER
DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF PROPOSED AMENDMENTS

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Amendment(s) is identical to the text of the emergency rule which appears in this issue of the Register on page _____.

11404
93
DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Maintenance
- 2) Code Citation: 89 Ill. Adm. Code 602
- 3) Section Numbers: Proposed Action:
602.10 Repealed
602.20 Repealed
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].
- 5) A Complete Description of the Subjects and Issues involved: This Part is being repealed and the information added to new Part 590: Services
All changes are being made pursuant to the 1992 Amendments to the Rehabilitation Act.
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes
Does this rulemaking contain an automatic repeal date?
___ Yes X No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Repealer is identical to the text of the Emergency Repealer which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Medical, Psychological, and Related Services

- 2) Code Citation: 89 Ill. Adm. Code 587

- 3) Section Numbers:

587.10	<u>Proposed Action:</u>
587.20	Repealed
587.30	Repealed
587.40	Repealed
587.50	Repealed
587.60	Repealed
587.70	Repealed
587.105	Repealed
587.106	Repealed
587.107	Repealed
587.110	Repealed
587.111	Repealed
587.120	Repealed
587.130	Repealed
587.200	Repealed
587.300	Repealed
587.400	Repealed
587.410	Repealed
587.420	Repealed
587.430	Repealed
587.440	Repealed
587.450	Repealed
587.500	Repealed
587.510	Repealed
587.600	Repealed

- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

- 5) A Complete Description of the Subjects and Issues Involved: This Part is being repealed and all information added to new Part 590: Services

All changes are being made pursuant to the 1992 Amendments to the Rehabilitation Act.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

- 7) Does this rulemaking contain an automatic repeal date?
 Yes X No
- 8) Does this proposed rule (amendment, repealer) contain
 incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- Section Numbers Proposed Action Illinois Register Citation
- 10) Statement of Statewide Policy Objectives (if applicable):
 This is not applicable to this Rulemaking.
- 11) Time, Place, and Manner in which interested persons may
 comment on this proposed rulemaking: Interested persons may
 present their comments concerning these rules within 45
 days after this issue of the Illinois Register. All
 requests and comments should be submitted in writing to:
- Ms. Susan Warrner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429
- Telephone number: (217) 785-3896
 T.D.D./T.T.: (217) 785-9301
- If because of physical disability you are unable to put
 comments into writing, you may make them orally to the
 person listed above.
- 12) Initial Regulatory Flexibility Analysis: The Department
 has determined that this rulemaking will not affect small
 businesses.
- The full text of the Proposed Rule(s) is identical to the text
 of the emergency which appears in this issue of the Register on
 page .

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Other Services
- 2) Code Citation: 89 Ill. Adm. Code 607
- 3) Section Numbers: Proposed Action:
 607.10 Repealed
 607.20 Repealed
 607.50 Repealed
 607.60 Repealed
- 4) Statutory Authority: Implementing and authorized by
 Sections 3(a), (b), and (k) of the Disabled Persons
 Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars.
 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)]
 and Section 13-703 of the Public Utilities Act (Ill. Rev.
 Stat. 1991, ch. 111 2/3, par. 13-703) [220 ILCS 5/13-703].
- 5) A Complete Description of the Subjects and Issues
 involved: This Section is being repealed and the
 information added to new Part 590: Services
 All changes are in response to the 1992 Amendments to the
 Rehabilitation Act.
- 6) Will this proposed rule replace an emergency rule currently
 in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date?
 Yes X No
- 8) Does this proposed rule (amendment, repealer) contain
 incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- Section Numbers Proposed Action Illinois Register Citation
- 10) Statement of Statewide Policy Objectives (if applicable):
 This is not applicable to this Rulemaking.
- 11) Time, Place, and Manner in which interested persons may
 comment on this proposed rulemaking: Interested persons
 may present their comments concerning these rules within 45
 days after this issue of the Illinois Register. All
 requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

Ms. Susan Warner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
 T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Repealer is identical to the text of the Emergency Repealer which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Placement
- 2) Code Citation: 89 Ill. Adm. Code 612
- 3) Section Numbers: Proposed Action:
 612.10 Repealed
 612.20 Repealed
- 4) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (j) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (j)) [20 ILCS 2405/3(a), (b), and (j)].
- 5) A Complete Description of the Subjects and Issues involved: This Part is being repealed and all information added to new Part 590: Services
 The changes are being made pursuant to the 1992 Amendments to the Rehabilitation Act.
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes _____ No X
- 7) Does this rulemaking contain an automatic repeal date?
 Yes _____ No X
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives (if applicable):
 This is not applicable to this Rulemaking.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

Ms. Susan Warner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
 T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Repealer is identical to the text of the Emergency Repealer which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Post-Employment Services
- 2) Code Citation: 89 Ill. Adm. Code 622
- 3) Section Numbers: Proposed Action:
 622.10 Repealed
 622.20 Repealed
 622.30 Repealed
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)]
- 5) A Complete Description of the Subjects and Issues involved: This Part is being repealed and all information added to new Part 590: Services.
 All changes are being made in response to the 1992 Amendments to the Rehabilitation Act.
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes _____ No X
- 7) Does this rulemaking contain an automatic repeal date?
 Yes _____ No X
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Section Numbers Proposed Action Illinois Register Citation
 Statement of Statewide Policy Objectives (if applicable):
 This is not applicable to this Rulemaking.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Repealer is identical to the text of the Emergency Repealer which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Secondary Transitional Experience Program

- 2) Code Citation: 89 Ill. Adm. Code 657

- 3) Section Numbers: Proposed Action:
657.10 Repealed
657.20 Repealed

- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (i) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (j)) [20 ILCS 2405/3(a), (b) and (j)].

- 5) A Complete Description of the Subjects and Issues involved: Part 657 is being repealed and added to new Part 590: Services.

All changes are being made pursuant to the 1992 Amendments to the Rehabilitation Act.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes

- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ X No

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Repealer is identical to the text of the Emergency Repealer which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Services
- 2) Code Citation: 89 Ill. Adm. Code 590
- 3) Section Numbers:
- | <u>Section Numbers:</u> | <u>Proposed Action:</u> |
|-------------------------|-------------------------|
| 590.10 | New |
| 590.20 | New |
| 590.30 | New |
| 590.35 | New |
| 590.40 | New |
| 590.50 | New |
| 590.60 | New |
| 590.70 | New |
| 590.80 | New |
| 590.90 | New |
| 590.100 | New |
| 590.110 | New |
| 590.120 | New |
| 590.130 | New |
| 590.140 | New |
| 590.150 | New |
| 590.160 | New |
| 590.170 | New |
| 590.180 | New |
| 590.190 | New |
| 590.200 | New |
| 590.210 | New |
| 590.220 | New |
| 590.230 | New |
| 590.240 | New |
| 590.250 | New |
| 590.260 | New |
| 590.270 | New |
| 590.280 | New |
| 590.290 | New |
| 590.300 | New |
| 590.310 | New |
| 590.320 | New |
| 590.330 | New |
| 590.340 | New |
| 590.350 | New |
| 590.360 | New |
| 590.370 | New |
| 590.375 | New |
| 590.380 | New |
| 590.390 | New |
| 590.400 | New |

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED RULES

NOTICE OF PROPOSED RULES

590.410 New
 590.420 New
 590.430 New
 590.440 New
 590.450 New
 590.460 New
 590.470 New
 590.480 New
 590.490 New
 590.500 New
 590.510 New
 590.520 New
 590.530 New
 590.540 New
 590.550 New
 590.560 New
 590.570 New
 590.580 New
 590.590 New
 590.600 New
 590.610 New
 590.620 New
 590.630 New
 590.640 New
 590.650 New
 590.660 New
 590.670 New
 590.680 New
 590.700 New
 590.710 New
 590.720 New
 590.730 New
 590.740 New
 590.750 New

- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par 3429 (g)) [20 ILCS 2405/0.01], and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16]

- 5) A Complete Description of the Subjects and Issues involved: The 1992 Amendments to the Rehabilitation Act requires specific changes to DORS' roles regarding services provided to vocational rehabilitation clients.

Because of the magnitude of the changes Parts 540 - Auxiliary Aids, 587 - Medical, Psychological and Related Services, 592 - Training, 597 - Tools, Equipment and Supplies and Initial Stock, 602 - Maintenance, 607 - Other Services, 612 - Placement, 622 - Post-Employment Services and 657 - Secondary Transitional Experience Program are all being repealed.

The information regarding all services is being added in this Part.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes
 ___ Yes X No
- 7) Does this rulemaking contain an automatic repeal date?
 ___ Yes X No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives (if applicable):
 This is not applicable to this Rulemaking.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429
 Telephone number: (217) 785-3896
 T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

93

NOTICE OF PROPOSED RULES

NOTICE OF PROPOSED REPEALER

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) is identical to that of the text of the Emergency Rule(s) published in this issue of the Register on page .

- 1) Heading of the Part: Tools, Equipment, Supplies and Initial Stock

- 2) Code Citation: 89 Ill. Adm. Code 597

- 3) Section Numbers: Proposed Action:
 597.10 Repealed
 597.15 Repealed
 597.20 Repealed
 597.100 Repealed
 597.150 Repealed
 597.200 Repealed
 597.300 Repealed
 597.310 Repealed
 597.320 Repealed
 597.330 Repealed
 597.400 Repealed
 597.410 Repealed

- 4) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (j)) [20 ILCS 2405/3(a), (b), and (k)].
- 5) A Complete Description of the Subjects and Issues involved: This Part is being repealed and all information added to new Part 590: Services
 The changes are being made pursuant to the 1992 Amendments to the Rehabilitation Act.
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date?
 Yes ☒ No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives (if applicable):
 This is not applicable to this Rulemaking.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

- 11) Time, place, and manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Repealer is identical to the text of the Emergency Repealer which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Training Services

- 2) Code Citation: 89 Ill. Adm. Code 592

- 3) Section Numbers:
592.10 Repealed
592.20 Repealed
592.30 Repealed
592.40 Repealed
592.45 Repealed
592.50 Repealed
592.55 Repealed
592.60 Repealed
592.65 Repealed
592.70 Repealed
592.75 Repealed
592.80 Repealed
592.85 Repealed
592.90 Repealed

- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)]

- 5) A Complete Description of the Subjects and Issues involved: This Section is being repealed and the information added to new Part 590: Services

All changes are in response to the 1992 Amendments to the Rehabilitation Act.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes _____ No _____

- 7) Does this rulemaking contain an automatic repeal date?
Yes _____ No X

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED REPEALER

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Repealer is identical to the text of the Emergency Repealer which appears in this issue of the Register on page _____.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

- | | | |
|----|-------------------------|---|
| 1) | <u>Heading of Part:</u> | Triplicate Prescription Control Program |
| 2) | <u>Code Citation:</u> | 77 Ill. Adm. Code 2080 |
| 3) | <u>Section Numbers:</u> | <u>Adopted Action:</u> |
| | 2080.10 | Amended |
| | 2080.20 | Amended |
| | 2080.30 | Amended |
| | 2080.50 | Amended |
| | 2080.60 | Amended |
| | 2080.70 | Amended |
| | 2080.80 | Amended |
| | 2080.120 | Amended |
| | 2080.140 | Amended |
| | 2080.150 | Amended |
| | 2080.160 | Amended |
| | 2080.170 | Amended |

- 4) Statutory Authority: (Ill. Rev. Stat. 1991, ch. 56 $\frac{1}{2}$, pars. 1302(d) and 1308) [720 ILCS 570/302(d) and 308].

- 5) Effective Date of Rule Making: July 6, 1993.

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this rulemaking contain incorporations by reference? No

- 8) Date filed in Agency's Principle Office: July 6, 1993

- 9) Notice of Proposal published in Illinois Register: 16 Ill. Reg. 11367, July 17, 1992.

- 10) Has JCAR issued a Statement of Objection to these Rules? JCAR issued a Statement of Objection on October 13, 1992, based on the failure of the rule to specify the triplicate prescription pad fee. The Department submitted an Agency Response to Joint Committee Objection to Proposed Rulemaking on January 11, 1993 stating that it was returning the proposed language regarding fees to its original state and maintaining only the technical revisions and updating.

- 11) Difference between proposal and final version:

- a. Changes in margins and other technical changes requested by the Administrative Code Division of the Secretary of State.
- b. Change in "authority" note, in section 2080.10, 2080.20, 2080.60(c), 2080.70(b), and 2080.140(a) to reference current Illinois Compiled Statute citations.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

- c. Change in federal citations in Section 2080.20, 208050(c), and 2080.80 to reference current federal citations.
- d. Change in Section 2080.40(a) and in Section 2080.60 to return to the original language regarding the fee for a triplicate pad.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? No such letter was issued.
- 13) Will this replace an emergency rule currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and purpose of the rules: To update outdated citations and references.
- 16) Information and Questions regarding this Adopted Rule may be addressed to:

Nancy J. Bennett
 Illinois Department of Alcoholism and Substance Abuse
 100 W. Randolph Street/Suite 5-600
 Chicago, Illinois 60601
 Voice (312) 814-3840 TDD (312) 419-8432

The full Text of the Adopted Rules begin on the next page:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH
 CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
 SUBCHAPTER e: CONTROLLED SUBSTANCES ACTIVITIES

PART 2080
 TRIPPLICATE PRESCRIPTION CONTROL PROGRAM

Section	Authority
2080.10	Definitions
2080.20	General Description
2080.30	Official Triplicate Prescription Blanks
2080.40	Authorized Prescribers
2080.50	Application
2080.60	Official Triplicate Prescription Blanks Requirements
2080.70	Prohibited use of the Official Triplicate Prescription Blank
2080.80	Administering and dispensing of a Schedule II designated product by a prescriber
2080.90	Pharmacist responsibility
2080.100	Partial filling of prescriptions
2080.110	Emergency situations
2080.120	Prescriptions from out-of-state prescribers and exempt Federal practitioners
2080.130	Exemptions for prescribers in hospitals and institutions
2080.140	Exemptions for narcotic treatment programs
2080.150	Exemptions for research
2080.160	Investigatory and regulatory referrals
2080.170	

AUTHORITY: Implementing and authorized by Section 308 of Article III of the Illinois Controlled Substances Act (Ill. Rev. Stat. 1993, 1991 ch. 56 1/2, par 1308) 720 ILCS 570/302(d) and 308, 1992].

SOURCE: Adopted at 10 Ill. Reg. 4492, effective March 3, 1986; amended at 17 Ill. Reg. 11424, effective July 6, 1993.

Section 2080.10 Authority

This Part is promulgated pursuant to the Illinois Controlled Substances Act(the Act)(Ill. Rev. Stat. 1983, 1991 ch. 56 1/2, pars. 1100 et seq.) 720 ILCS 570/100 et seq.] which empowers the Department of Alcoholism and Substance Abuse to promulgate rules and charge reasonable fees relating to the control or the dispensing of narcotic drugs listed in Section 206 of the Act, or which are determined to be "designated products" as defined in Section 102 of the Act.

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993).

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

Section 2080.20 Definitions

No incorporation by reference in this Part includes any later amendments or editions. The definitions which apply to this Part are those found in the Act:

"Act" means the Illinois Controlled Substances Act, (Ill. Rev. Stat. 4983 1991 ch. 56 1/2, pars. 1100 et seq.) [720 ILCS 570/100 et seq.]

"Department" means the Illinois Department of Alcoholism and Substance Abuse, or its successor agency.

"Drug Dependence" means a state, psychic and sometimes also physical, resulting from interaction between a living organism and a drug, characterized by behavioral and other responses that always include a compulsion to take the drug on a continuous or periodic basis in order to experience its psychic effects, and sometimes to avoid the discomfort of its absence. Tolerance may or may not be present. A person may be dependent on more than one drug.

"Exempt Federal Practitioners" means those practitioners specifically exempted pursuant to 21 CFR 1301 (4985) (1992).

"Exempt prescribers in hospitals and institutions" means prescribers in hospitals or institutions licensed under the Hospital Licensing Act (Ill. Rev. Stat. 4983 1991 ch. 111 1/2, pars. 142 et seq.) [210 ILCS 85/1, 1992] who authorize the administration or dispensing of Schedule II designated products within the hospital or institution.

"Illinois Controlled Substances License Number" means the State authorization number issued by the Department of ~~Registration and Education~~ Professional Regulation (DEA) permitting prescribers to possess, prescribe or dispense controlled substances in Illinois pursuant to the Controlled Substances Act (77 Ill. Adm. Code 1650.70).

"National Drug Code Identification Number" means the number used to provide uniform product identification for all commercially distributed drugs in the United States.

"Official Triplicate Prescription Blank" means the official prescription blanks for the triplicate prescription program supplied to prescribers by the Department for prescribing Schedule II designated product controlled substances.

"Out-of-state prescribers" means those prescribers having a valid Drug Enforcement Administration Registration to prescribe Schedule II controlled substances pursuant to 21 CFR 1301 (4985 1992) and who are also licensed to prescribe Schedule II designated products in the states where they maintain a professional license to practice.

"Pharmacy Inventory Control form" means the official form used by the Department for the purpose of obtaining uniform reports from Illinois pharmacies related to the dispensing of

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

Schedule II controlled substance prescription drugs pursuant to the written order of an out-of-state or exempt Federal prescriber.

"Prescribed" means ordered as treatment by a prescriber either verbally or in writing.

"Schedule II designated product" means any narcotic drug, amphetamine, phenmetrazine, methamphetamine, glutethimide, or pentazocine product listed in Schedule II and also means any controlled substance listed in Schedule II which is determined and designated by the Department to be such a product under Section 102(n) of the Act (41-Rev. Stat. 1983 ch. 56 1/2, par. 4402(4)).

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993).

Section 2080.30 General Description

The Triplicate Prescription Control Program monitors the prescribing or dispensing of all Schedule II designated products within the State of Illinois. The Program also monitors the dispensing of Schedule II controlled substances by Illinois pharmacists pursuant to a written order by prescribers pursuant to Sections 2080.130 and 2080.140 of this Part. The program supplies "Official Triplicate Prescription Blanks" to prescribers and "Pharmacy Inventory Control forms" to pharmacies for Schedule II products issued by out-of-state or exempt Federal prescribers for the purpose of collecting, compiling, and analyzing the information recorded on those forms. The data produced from this system provides an information resource to those agencies in the State that monitor, regulate, and enforce the provisions of the Illinois Controlled Substances Act.

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993).

Section 2080.50 Authorized Prescribers

Every prescriber who issues a prescription for a Schedule II designated product shall issue such prescription on an Official Triplicate Prescription Blank. A prescription for a Schedule II designated product shall be issued only by a prescriber who:

- Possesses a valid professional license by the Illinois Department of ~~Registration and Education~~ Professional Regulation (DPR) as a physician, dentist, podiatrist or veterinarian; and
- Is authorized to prescribe controlled substances by the State of Illinois in accordance with 77 Ill. Adm. Code 1650.370; and

- Is registered by the United States Drug Enforcement Administration (DEA) to prescribe Schedule II controlled substances in accordance with 21 CFR 1301 (4985 1992).

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993)

Section 2080.60 Application

A prescriber shall obtain an application for Official Triplicate Prescription Blanks. The request for an application may be made in writing or by telephone to the Department offices in Chicago or Springfield. The Department shall make available application forms to prescribers upon request. The completed application shall be returned to the Department with a non-refundable check or money order in the amount of \$10.00 payable to the Department of Alcoholism and Substance Abuse.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

a) The Department shall supply 100 Official Triplicate Prescription Blanks within 30 days of receipt of the application unless one or more of the following situations exists:

- 1) The prescriber has an expired, suspended, revoked professional license pursuant to ~~Ill. Rev. Stat. 1983 ch. 111, pars. 2222, 4433, 4922, and 6913~~ 225 ILCS 25/33, 60/22, 100/24, or 115/25, (1992) issued by the Department of ~~Registration and Education Professional~~ Regulation.
- 2) The prescriber has an expired, suspended, revoked or otherwise disciplined out-of-state professional license.
- 3) The prescriber has a limited, expired, suspended, revoked Illinois Controlled Substances License number pursuant to 225 ILCS 25/33, 60/22, 100/24, or 115/25, (1992) ~~Ill. Rev. Stat. 1983 ch. 111, pars. 2222, 4433, 4922, and 6913~~ issued by ~~DPR, the Department of Registration and Education.~~
- 4) The prescriber has an expired, suspended, or revoked Drug Enforcement Administration Registration.
- 5) The check or money order sent by the prescriber is for an incorrect amount, made payable to an incorrect payee, unsigned, or uncollectible for any reason.
- 6) The name or address provided by the prescriber does not match that appearing on the Illinois Controlled Substances License or the ~~Drug Enforcement Administration DEA~~ Registration.
- 7) The application form does not bear the signature of the prescriber.
- 8) The prescriber has not provided all the information required for application by the Department.

b) When the Department has determined that the prescriber possesses a valid Illinois or out-of-state professional license, a State Controlled Substances License, or ~~Drug Enforcement Administration DEA~~ Registration, applications which are incomplete in any manner shall be returned to the prescriber ~~along with the check or money order and~~ with a letter explaining any deficiencies encountered in processing. The prescriber may then resubmit the application in conformance with Departmental requirements.

c) When the Department has determined that the prescriber does not possess a valid professional license, a state controlled substances license, or ~~Drug Enforcement Administration DEA~~ Registration, or upon notification by ~~DPR the Department of Registration and Education~~ or verification received by other jurisdictions, that the authority to prescribe has been denied or disciplined pursuant to 225 ILCS 25/33, 60/22, 100/24, or 115/25 (1992) ~~Ill. Rev. Stat. 1983 ch. 111, pars. 2222, 4433, 4922, and 6913~~, the Department shall deny the application and so notify the applicant in writing. The Department shall refer the above information to the appropriate State or Federal law enforcement or regulatory agency.

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993.)

Section 2080.70 Official Triplicate Prescription Blanks Requirements

- a) A pharmacist may fill a prescription for a Schedule II designated product only upon receipt of a completed Official Triplicate Prescription Blank pursuant to Section 2080.70(b). The original and the State copy of the Official Triplicate Prescription Blank shall be delivered to the

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

pharmacist filling the prescription. Where both the original and State copy are not presented to the pharmacist, and the pharmacist determines that an emergency situation exists pursuant to Section 2080.120, the pharmacist shall verify the prescription order with the prescriber. Upon verification, the pharmacist shall fill the order following the procedures outlined under Section 2080.120.

b) An Official Triplicate Prescription Blank shall:

- 1) Be dated as of and signed on the day when issued; and
- 2) Bear the full name and address of the patient, or in the case of veterinary treatment, the full name and address of the animal owner, as well as the species or common name of the animal being treated; and
- 3) Bear the full name and address of the prescriber; and
- 4) Bear the DEA Registration number of the prescriber; and
- 5) Be signed by the prescriber in the same manner as the prescriber would sign a check or legal document; and
- 6) Be written with ink, indelible pencil, or typewriter; and
- 7) Specify the drug name and dosage; and
- 8) Specify the quantity of drug to be dispensed, both written and numeric; and
- 9) Indicate whether drug product selection is permitted pursuant to ~~410 ILCS 620/2.22 and 620/3.14, 1992; Ill. Rev. Stat. 1983 ch. 56-1/2, pars. 502-22 and 502-14; and~~
- 10) Be issued prior to the expiration date preprinted on the form; and
- 11) Contain only one prescription order.

c) In the event that a pharmacist receives an Official Triplicate Prescription Blank written for a non-designated product prescription drug, all those Schedule II controlled substances not enumerated under the definition of Schedule II designated products, the pharmacist shall mark the State copy "void" and shall submit it to the Department by the 15th day of the month following the month in which it was filled. The pharmacist shall file the original copy of this prescription in the non-designated product prescription file.

d) In the event that a pharmacist receives an Official Triplicate Prescription Blank on which the preprinted expiration date has passed, the pharmacist shall mark both copies "expired -not filled" and shall submit both copies to the Department. The pharmacist shall notify the prescriber that this Official Triplicate Prescription Blank is invalid and shall make arrangements for the issuance of a valid Official Triplicate Prescription Blank. In the event that the pharmacist is unable to contact the prescriber, the pharmacist shall determine whether to dispense the Schedule II designated product in accordance with ~~Ill. Rev. Stat. 1983 ch. 56-1/2, par. 1102(a)~~ Section 102(n) of the Act.

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993.)

Section 2080.80 Prohibited use of the Official Triplicate Prescription Blank

- a) An Official Triplicate Prescription Blank shall not be issued by a prescriber for the purpose of obtaining Schedule II designated products for general dispensing to patients. Prescribers may obtain Schedule II designated products for general dispensing to patients by using the DEA's ~~Drug Enforcement Administration's~~ 222 Narcotic Order Form pursuant to 21 CFR 1305 (1985)

ILLINOIS REGISTER

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

(1992).

- b) A prescription shall not be issued for the dispensing of a designated product to a drug dependent person for maintaining that person's dependence to such drugs, except in the course of conducting an authorized clinical investigation in the development of a narcotic treatment program as set forth in 77 Ill. Adm. Code 2080.150.

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993).

Section 2080.120 Emergency situations

No person shall issue a prescription for a Schedule II designated product other than on the Official Triplicate Prescription Blank issued by the Department and no pharmacist shall fill any such prescription other than on the Official Triplicate Prescription Blank issued by the Department. However, in the case of an emergency, epidemic or a sudden or unforeseen accident or calamity, the prescriber may issue a lawful oral prescription or a written prescription on a blank other than the Official Triplicate Prescription Blank issued by the Department where failure to issue such a prescription might result in loss of life or intense suffering.

- Such prescription shall have endorsed thereon by the prescriber a statement concerning the accident or calamity, or circumstances constituting the emergency, or the cause for which the unofficial blank was used.
- Within 72 hours after issuing an emergency prescription, the prescriber shall cause a written prescription on the Official Triplicate Prescription Blank for the emergency quantity prescribed to be delivered to the dispensing pharmacist. The prescription shall have written on its face "Authorization for Emergency Dispensing", and the date of the emergency prescription. The written prescription on the Official Triplicate Prescription Blank may be delivered to the pharmacist in person or by mail, but if delivered by mail it must be postmarked within the 72-hour period.
- Upon receipt, the dispensing pharmacist shall attach the Official Triplicate Prescription Blank to the emergency prescription earlier received, or in the case of an oral prescription, the document on which it was reduced to writing.
- The dispensing pharmacist shall notify the Department if the prescriber fails to deliver the authorization for emergency dispensing on the Official Triplicate Prescription Blank. Failure of the dispensing pharmacist to do so shall void the authority to dispense without a written prescription on an Official Triplicate Prescription Blank of a prescriber.
- The Department shall immediately upon discovery notify ~~DPR the Department of Registration and Education~~ in writing of any violations of this Section by prescribers or pharmacist.

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993).

Section 2080.140 Exemption for prescribers in hospitals and institutions

- Prescribers in hospitals or institutions licensed under the Hospital Licensing Act (Ill. Rev. Stat. 1993 1991 ch. 111 1/2, par. 142 et seq.) 1210 ILCS 85/1 et seq., 1992] who administer Schedule II designated products are exempt from the requirements of ~~Ill. Rev. Stat. 1983 Sections 308 and 312 of the Act ch. 56 1/2, pars. 1308 and 1312~~. Such prescribers shall record in the patient's

ILLINOIS REGISTER

11432
93

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

medical record the name of the Schedule II designated product administered, the quantity, and the date and signature of the prescriber.

- An order for an outpatient prescription for a Schedule II designated product shall be written on the Official Triplicate Prescription Blank.

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993).

Section 2080.150 Exemptions for narcotic treatment programs

Use of the Official Triplicate Prescription Blank is not required in narcotic treatment programs. The official "prescription logs" issued by the Department shall be completed in accordance with ~~Ill. Rev. Stat. 1983 Section 313 of the Act ch. 56 1/2, par. 1313~~.

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993).

Section 2080.160 Exemptions for research

Prescribers who are authorized by the Department pursuant to the Act (~~Ill. Rev. Stat. 1984 Sup. ch. 56 1/2, par. 1508~~) to use Schedule II designated products to carry out research are exempt from the requirements of ~~Ill. Rev. Stat. ch. 56 1/2, par. 1508~~ Section 508 of the Act. Such prescribers shall maintain an inventory record specifying:

- Drug name.
- Drug Strength.
- Drug quantity.
- Purpose for which administered.
- To whom administered (if applicable).
- Date(s) on which Schedule II designated product was used.

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993).

Section 2080.170 Investigatory and regulatory referrals

The Department's Triplicate Prescription Control Section shall make investigatory or regulatory referrals to Federal, State and local law enforcement and regulatory agencies based on information collected from the processing of the Official Triplicate Prescription Blanks. All referrals shall be based on the nature of the information and the jurisdictional area for which the information is appropriate. Investigatory or regulatory referrals shall include but shall not be limited to the following criteria:

- A prescriber attempts to obtain Official Triplicate Prescription Blanks with an expired, suspended, revoked or otherwise disciplined professional license. This applies to professional licenses issued in this or any other state.
- A prescriber attempts to obtain Official Triplicate Prescription Blanks with an expired, suspended, or revoked controlled substances registration. This applies to registrations issued by this State, any other state, or the ~~DEA U.S. Drug Enforcement Administration~~.
- A prescriber with an expired, suspended, revoked or otherwise disciplined professional license prescribes or dispenses Schedule II designated product using the Official Triplicate Prescription Blank. This applies to professional licenses issued in this or any other state.
- A prescriber with an expired, suspended, or revoked controlled substances registration prescribes

ILLINOIS REGISTER

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

or dispenses a Schedule II designated product using the Official Triplicate Prescription Blank. This applies to registrations issued by this or any other state or the U.S. Drug Enforcement Administration.

- e) An out-of-state prescriber with an expired, suspended, or revoked controlled substances registration prescribes for a Schedule II product.
- f) An out-of-state prescriber with an expired, suspended, or revoked controlled substances registration prescribes for a Schedule II product. This applies to a registration issued in the prescriber's resident state or a registration issued by ~~DEA the U.S. Drug Enforcement Administration.~~
- g) A pharmacy with an expired, suspended or revoked Illinois Controlled Substances License, or ~~DEA U.S. Drug Enforcement Administration~~ registration dispenses a Schedule II designated product.
- h) A pharmacist with an expired, suspended, revoked or otherwise disciplined professional license dispenses a Schedule II designated product. This applies to a professional license issued in this or any other state.
- i) A pharmacy dispenses a Schedule II designated product to a patient beyond the 72 hour limit three or more times in any 12 month period.
- j) A pharmacy is late returning Official Triplicate Prescription Blanks or Pharmacy Inventory Control forms to the Department three or more times during any 12-month period.
- k) A prescriber uses an Official Triplicate Prescription Blank instead of a Drug Enforcement Administration 222 Narcotic Order Form to obtain office medication stock.
- l) A prescriber or a pharmacist dispenses a Schedule I controlled substance to a patient.
- m) A prescriber knowingly fails to report lost or stolen Official Triplicate Prescription Blanks.
- n) A prescriber maintains a drug dependent person without proper authorization pursuant to Section 312(h) of the Act III-Rev-Stat-1983 ch-56-1/2, par-1312(h).
- o) A pharmacist refills any Schedule II prescription.
- p) It is determined that on three or more occasions in any 12 month period a prescriber has prescribed using Official Triplicate Prescription Blanks issued to others.
- q) A prescriber fails to provide an Official Triplicate Prescription Blank to a pharmacy within 72 hours after issuing an emergency order for a Schedule II designated product.
- r) A prescriber issues prescriptions on expired Official Triplicate Prescription Blanks three or more times during any 12-month period.
- s) A pharmacist fills prescriptions for Schedule II designated products that have been issued on expired Official Triplicate Blanks three or more times in any 12-month period.
- t) A pharmacist fails to provide the Department with a Pharmacy Inventory Control form for a Schedule II product that was dispensed pursuant to an order of an out-of-state prescriber or exempt Federal practitioner.
- u) A prescriber makes payment for Official Triplicate Prescription Blanks with a check or money order that is uncollectable.
- v) A pharmacist makes payment for Pharmacy Inventory Control forms with a check or money order that is uncollectable.

ILLINOIS REGISTER

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

- w) A prescriber reports more than one theft per year of Official Triplicate Prescription blanks.
- x) The Triplicate Prescription Control Section detects an irregularity or violation in processing an Official Triplicate Blank, (e.g. stolen, forged, or altered prescription).
- y) The Triplicate Prescription Control Section determines that a Schedule II designated product prescription does not exhibit the principle of "good faith" in prescribing or dispensing as set forth in ~~III-Rev-Stat-1983 ch-56-1/2~~ Section 102(n) of the Act.

(Source: Amended at 17 Ill. Reg. 11424, effective July 6, 1993.)

NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: Americans With Disabilities Act Grievance Procedure
- 2) Code Citation: 4 Ill. Adm. Code 1125
- 3) Section Numbers:

1125.10	Adopted Action:
1125.20	New Section
1125.30	New Section
1125.40	New Section
1125.50	New Section
1125.60	New Section
1125.70	New Section
- 4) Statutory Authority: This rulemaking implements Title II, Subtitle A, of the Americans With Disabilities Act of 1990 (42 U.S.C. 12131 - 12134), and the regulations promulgated thereunder (28 CFR 35.107), and is authorized by Section 2-12 (a) of the Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, par. 302-12 (a)) [30 ILCS 5/2-12 (a)].
- 5) Effective Date of Rule: July 8, 1993
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 30, 1993
- 9) Notice of Proposal Published in Illinois Register: April 9, 1993 at 17 Ill. Reg. 4523
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version: In the Authority Note, paragraph (a) was added to the statutory citations and the ILCS citation was placed in brackets; in Section 1125.50, the ILCS citation for the State Records Act was changed from "(5 ILCS 160/1 et seq.)" to "[5 ILCS 160]"; and in Section 1125.60, the word "Policy" was added to the title.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreement letter was issued by JCAR.

NOTICE OF ADOPTED RULES

- 13) Will this rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule: This rule establishes a procedure whereby qualified persons with disabilities may resolve allegations of denial of public services or employment on the basis of disability.
- 16) Information and questions regarding this adopted rule may be addressed to:

Roberta Pape
 ADA Coordinator
 Office of the Auditor General
 509 South Sixth Street
 Springfield, Illinois 62701
 (217) 782-6046 (voice)
 (217) 524-4646 (TDD)

The full Text of the Adopted Rule begins on the next page:

AUDITOR GENERAL

NOTICE OF ADOPTED RULES

TITLE 4: DISCRIMINATION PROCEDURES
CHAPTER XLII: AUDITOR GENERAL

PART 1125

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

Section

1125.10 Purpose
1125.20 Definitions
1125.30 Procedure
1125.40 Review at the Designated Coordinator Level
1125.50 Review at the Final Level
1125.60 Accessibility Policy
1125.70 Case-by-Case Resolution

AUTHORITY: Implementing Title II, Subtitle A, of the Americans With Disabilities Act of 1990 (42 U.S.C. 12131 - 12134), and the regulations promulgated thereunder (28 CFR 35.107), and authorized by Section 2-12(a) of the Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, par. 302-12(a)) [30 ILCS 5/2-12(a)].

SOURCE: Adopted at 17 Ill. Reg. 11435, effective July 8, 1993.

Section 1125.10 Purpose

- a) The Americans With Disabilities Act Grievance Procedure (Procedure) is established pursuant to the Americans With Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.) ("ADA"), and specifically Section 35.107 of the Title II regulations (28 CFR Part 35), requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the Designated Coordinator.
- b) In general, the ADA requires that each program, service and activity offered by The Office of the Auditor General ("Office"), when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.
- c) It is the intent of the Office to foster open communication with all individuals requesting ready access to programs, services and activities. The Office encourages directors of programs, services and activities to respond to requests for modifications before they become grievances.

Section 1125.20 Definitions

"Complainant" is an individual with a disability who files a grievance form provided by the Office in accordance with this Part.

AUDITOR GENERAL

NOTICE OF ADOPTED RULES

"Designated Coordinator" is the person appointed by the Auditor General to coordinate the Office's efforts to comply with and carry out its responsibilities under Title II of the ADA, including the investigation of grievances filed by complainants. The Designated Coordinator for the Office is the ADA Coordinator. The ADA Coordinator may be contacted at the Office of the Auditor General, 509 South Sixth Street, Springfield, Illinois 62701 or by telephone at 217/782-6046 (voice), 217/524-4646 (TDD).

"Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such an impairment.

"Grievance" is any complaint under the ADA by an individual with a disability who meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Office, and who believes she or he has been excluded from participation in or denied the benefits of any program, service or activity of the Office or has been subject to discrimination by the Office on the basis of her or his disability.

"Office" means the Office of the Auditor General.

"Qualified individual with a disability" means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the Office.

Section 1125.30 Procedure

- a) Grievances must be submitted through the channels defined below, in the form and manner described, and within the specified time limits. It is mutually desirable and beneficial that grievances be satisfactorily resolved in a prompt manner. Time limits established in this procedure are in calendar days, unless otherwise stated, and may be extended by mutual agreement in writing by the complainant and the reviewer at the Designated Coordinator and Final levels.
- b) A complainant's failure to submit a grievance, or to submit or appeal it to the next level of procedure within the specified time limits, shall mean that the complainant has withdrawn the grievance or has accepted the last response given by the Office.
- c) Upon being informed by an individual that the individual desires to file a formal grievance, the Office shall provide the individual with a copy of this procedure and the grievance form.
- d) A complainant may use the assistance of an advocate in any stage of

NOTICE OF ADOPTED RULES

the grievance procedure.

Section 1125.40 Review at the Designated Coordinator Level

- a) If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the Designated Coordinator in writing on the prescribed grievance form. The grievance form must be completed in full in order to receive proper consideration by the Designated Coordinator.
- b) Upon request, assistance shall be provided by the Office to complete the grievance form.
- c) The Designated Coordinator, or her or his representative, shall investigate the grievance and shall make reasonable efforts to resolve it. The Designated Coordinator shall provide a written response to the Complainant and the Auditor General within ten (10) business days after receipt of the grievance form.

Section 1125.50 Review at the Final Level

- a) If the grievance has not been resolved at the Designated Coordinator Level to the satisfaction of the complainant, the complainant may submit a copy of the grievance form and the Designated Coordinator's response to the Auditor General for final review within ten (10) days after receipt of the Designated Coordinator's written response. The complainant shall submit these documents to the Auditor General, together with a short written statement explaining the reason(s) for dissatisfaction with the Designated Coordinator's written response. The Auditor General will extend the period for submitting the review request and supporting documents for up to ten (10) additional days upon complainant's request.
- b) The Auditor General shall appoint a three (3) member panel to review the grievance at the Final Level (the "Review Panel"). One member so appointed shall be designated chairperson. The Designated Coordinator, or any representative of the Designated Coordinator, who conducted the investigation at the Designated Coordinator Level, may not be a member of the Review Panel.
- c) The complainant shall be afforded an opportunity to appear before the Review Panel. The Review Panel shall review the Designated Coordinator's written response and may conduct interviews and seek advice as it deems appropriate.
- d) The Review Panel shall approve, disapprove or modify the recommendation of the Designated Coordinator, shall render a decision thereon in writing within thirty (30) days, shall state the basis therefore, and shall cause a copy of the decision to be served on the parties. The Review Panel's decision shall be final. If the Review Panel disapproves or modifies the Designated Coordinator's recommendations, the Review Panel shall include written reasons for such disapproval or modification.

NOTICE OF ADOPTED RULES

- e) The grievance form, the Designated Coordinator's response, the statement of reasons for dissatisfaction, and the decision of the Review Panel shall be maintained in accordance with the State Records Act (Ill. Rev. Stat. 1991, ch. 116, par. 43.4 et seq.) [5 ILCS 160], or as otherwise required by law.

Section 1125.60 Accessibility Policy

The Office shall ensure that all stages of the grievance procedures are readily accessible to and usable by individuals with disabilities.

Section 1125.70 Case-by-Case Resolution

Each grievance involves a unique set of factors that includes but is not limited to: the specific nature of the disability; the essential eligibility requirements, the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and whether or not an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Office. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF ADOPTED AMENDMENTS1) The Heading of the Part: Local Government Health Plan2) Code Citation: 80 Ill. Adm. Code 21603) Section Numbers: Adopted Action:

2160.120	Amendment
2160.130	Amendment
2160.210	Amendment
2160.220	Amendment
2160.250	Amendment
2160.310	Amendment
2160.320	Amendment
2160.325	Amendment
2160.330	Amendment
2160.410	Amendment
2160.510	Amendment
2160.610	Amendment
2160.620	Amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 127, pars. 521 et seq. [5 ILCS 375]5) Effective Date of Amendments: July 9, 19936) Does this rulemaking contain an automatic repeal date? No.7) Do the Amendments contain incorporations by reference? No.8) Date Filed in Agency's Principal Office: July 9, 19939) Notice of Proposal Published in Illinois Register:

March 19, 1993, 17 Ill. Reg. 3577

10) Has ICAP issued a Statement of Objections to the Amendments? No.11) Differences between proposal and final version:

Showed all changes when updating Ill. Rev. Stat. citations throughout the rulemaking.

Section 2160.130 - The last five words in the definition of "Program" were deleted. These words, "Qualified Domestic Violence and Services", are not a part of the current rule and were mistakenly shown.

Several minor editing changes were also made.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF ADOPTED AMENDMENT

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will the Amendment replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Amendment:

Incorporates changes from amendments to the State Employees Group Insurance Act to provide that participating LGHP units enroll at least 85% of full-time employees in the plan; expands unit eligibility to include domestic violence shelters and services funded by IDPA, township and townships officials' associations, and the Illinois Association of Park Districts; provides that members may select state-contracted HMO coverage; and expands the definition of qualified rehabilitation facility to include facilities certified by DMHDD.

16) Information and questions regarding this adopted amendment shall be directed to:

Stephen W. Seiple
720 Stratton Office Building
Springfield, IL 62706
(217)782-9669

The full text of the Adopted Amendments begin on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE F: EMPLOYEE INSURANCE

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 2160

LOCAL GOVERNMENT HEALTH PLAN

SUBPART A: PURPOSE AND DEFINITIONS

Section

2160.110 Name of the Program

2160.120 Purpose

2160.130 Definitions

SUBPART B: RESPONSIBILITIES OF THE DEPARTMENT

Section

2160.210 Determining Eligibility of Groups

2160.220 Enrollments and Terminations

2160.230 Rate Setting

2160.240 Premium Collection

2160.250 Other Administrative Responsibilities

SUBPART C: RESPONSIBILITIES OF LOCAL GOVERNMENT AND QUALIFIED REHABILITATION FACILITIES

Section

2160.310 Enrollment Responsibilities

2160.320 Premium Collection

2160.325 Program Termination

2160.330 Signing the Agreement

SUBPART D: RESPONSIBILITIES OF LOCAL GOVERNMENT HEALTH PLAN REPRESENTATIVES

Section

2160.410 The Health Plan Representatives

2160.420 Appeals Process Responsibilities

SUBPART E: RESPONSIBILITIES OF THE ADVISORY BOARD

Section

2160.510 Appointment of Advisors

2160.520 Responsibilities of the Board

SUBPART F: FUNDING

2160.610 Local Government Health Insurance Reserve Fund

2160.620 Premium Rate Structure

SUBPART G: HEALTH CARE COVERAGE

Section

2160.710 Local Government Health Plan

2160.720 Health Care Coverage

AUTHORITY: Implementing and authorized by Sections 10, 13 and 15 of the State Employees Group Insurance Act of 1971 (Ill. Rev. Stat. 1991, ch. 127, pars. 530, 533 and 535, as amended by P.A. 86-978, effective July 1, 1990) [5 ILCS 375/10, 375/13 and 375/15].

SOURCE: Adopted at 14 Ill. Reg. 14343, effective August 22, 1990; amended at 17 Ill. Reg. 11441, effective July 9, 1993.

SUBPART A: PURPOSE AND DEFINITIONS

Section 2160.120 Purpose

The purpose of the Program is to provide health benefits to Employees, Annuitants and Dependents of Qualified Units of Local Government, and Qualified Rehabilitation Facilities and Qualified Domestic Violence Shelters and Services.

(Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993.)

Section 2160.130 Definitions

Whenever used in these rules, the following terms shall have the meanings set forth below unless otherwise expressly provided, and when the defined meaning is intended, the term is capitalized.

"Act" means the State Employees Group Insurance Act of 1971, as amended (Ill. Rev. Stat. 1991, ch. 127, pars. 521 et seq. as amended by P.A. 86-978, effective July 1, 1990) [5 ILCS 375].

"Administrative Service Organization" means any person, firm or corporation the Department has contracted with to administer the program.

"Annuitant" means any former Employee, as defined herein, who has retired from a Qualified Unit of Local Government or Qualified Rehabilitation Facility and is receiving an annuity from an Illinois Public Pension System or from a Qualified Pension Plan of such a Unit or Rehabilitation Facility.

"Compensation" means salary or wages paid by a Qualified Unit of Local Government or Qualified Rehabilitation Facility to an Employee for personal services currently performed.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF ADOPTED AMENDMENTS

the Program.

"Qualified Domestic Violence Shelter or Service" or "Shelter" means any Illinois domestic violence shelter or service and administration offices funded by the Illinois Department of Public Aid that has been approved by the Director to participate in the Plan.

"Qualified Rehabilitation Facility" or "Facility" means any not-for-profit organization ~~which~~ that is accredited by the Commission on Accreditation of Rehabilitation Facilities or certified by the Department of Mental Health and Developmental Disabilities to provide services to persons with disabilities and which receives funds from the State of Illinois for providing those services.

"Qualified Unit of Local Government" or "Unit" means any ~~Unit-of-Local-Government~~ county, municipality, township, school district, special district or any other unit designated as a unit of local government by law, including any not-for-profit association with a membership that primarily includes townships and township officials, that has duties that include provision of research service, dissemination of information, and other acts for the purpose of improving township government, and that is funded wholly or partly in accordance with Section 13-19 of the Township Law of 1874, and the Illinois Association of Park Districts that has been approved by the Director for enrollment in the Plan.

"Survivor" means a person who is a surviving Dependent of a person who satisfies the definition of Employee or Annuitant.

~~"Unit" means any Qualified Unit-of-Local-Government, as defined herein.~~

~~"Unit-of-Local-Government" means any county, municipality, township, school district, special district or other unit designated as a unit of local government by law.~~

(Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993)

SUBPART B: RESPONSIBILITIES OF THE DEPARTMENT

Section 2160.210 Determining Eligibility of Groups

- a) A Unit of Local Government must be approved by the Director for participation in the Program.

- 1) The Director shall grant eligibility for a Unit of Local Government if the Unit of Local Government meets the definition in the Act and agrees to the conditions specified in this Part.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF ADOPTED AMENDMENTS

"Department" means the Illinois Department of Central Management Services.

"Dependent" when the term is used in the context of this Part, means any person participating in the Program as a non-Member.

"Director" means the Director of the Illinois Department of Central Management Services.

"Employee" means and includes each person in the service of a ~~Qualified Unit of Local Government or Qualified Rehabilitation Facility~~ in the State of Illinois who receives Compensation for work currently performed.

"Facility" means and includes a Qualified Rehabilitation Facility or a Qualified Domestic Violence Shelter or Service.

"Fiscal Year" means the State's fiscal year from July 1 through June 30.

"Fund" means the Local Government Health Insurance Reserve Fund.

"Group Re-Enrollment Period" means the annual election period designated by the Department, during which Units and Facilities may add or drop coverage for Annuitants and change the type of Dependent coverage offered to their Employees, Survivors or Annuitants, and Members may select coverage from available plans offered.

"Health Plan Representative" means an Employee of a Qualified Unit of Local Government or Qualified Rehabilitation Facility who serves in the capacity of an ambudsman liaison through whom the Department shall conduct all business necessary to provide health benefits to that Unit or Facility.

"Member" means an Employee, Annuitant or Survivor.

"Plan" means the Local Government Health Plan.

"Pre-Existing Condition" means any disease, injury or condition, including maternity, for which the individual was diagnosed, received treatment/services, or took prescribed drugs during the three (3) months immediately preceding the effective date of coverage under the Program.

"Program" means a self-insured health benefits program or health maintenance organization (HMO) plan offered by the State of Illinois to Qualified Units of Local Government and Qualified Rehabilitation Facilities. The coverage offered to Units and Facilities is identical to that offered to employees of the State of Illinois under

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 2) The Department shall not approve a Unit of Local Government for participation if the Unit has withdrawn from the program during the previous five Fiscal Years.

- b) The Department shall grant eligibility to a Qualified Rehabilitation Facility if the facility:

- 1) meets the definition in the Act, and
- 2) agrees to the conditions specified in this Part, and
- 3) has a not-for-profit status and has filed an Annual Report of Charitable Organization with the Secretary of State, and
- 4) is accredited by the Commission on Accreditation of Rehabilitation Facilities to provide services to persons with disabilities, and or certified by the Department of Mental Health and Developmental Disabilities, and
- 5) receives funds from the State of Illinois for providing services to persons with disabilities, and
- 6) has not withdrawn from the program during the previous five Fiscal Years.

- c) The Department shall grant eligibility to a Qualified Domestic Violence Shelter or Service if the facility:

- 1) meets the definition in the Act;
- 2) agrees to the conditions specified in this Part;
- 3) is funded by the Illinois Department of Public Aid; and
- 4) has not withdrawn from the Program during the previous five fiscal years.

(Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993)

Section 2160.220 Enrollments and Terminations

The Department shall enroll and terminate Members and their Dependents after notification in the form and manner prescribed by the Department.

- a) The Department shall provide notification to the Unit or Facility that the enrollment or termination has been completed.
- b) The Department shall furnish the Units and Facilities with forms to submit to the Department for enrollment and termination of Members.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993)

Section 2160.250 Other Administrative Responsibilities

- a) The Department shall offer an annual Group Re-Enrollment Period to allow Units and Facilities to:

- 1) add or drop coverage for Annuitants as a group and
 - 2) change the type of Dependent coverage offered to their Members.
- b) The Department shall provide information to the Units and Facilities about the benefits and requirements of the program in the Local Government Health Plan Member Handbook.

- c) The Department shall prepare an administrative procedures manual for the Units and Facilities; Health Plan Representatives designated by the Units and Facilities.

- d) The Department will provide training seminars for Health Plan Representatives designated by the Units and Facilities.

- e) The Department shall establish an advisory board. The responsibilities of the board are described in Section 2160.520.

- f) The Department shall establish formal appeal procedures to be followed when the Member is dissatisfied with the benefit determination made by the Administrative Service Organization as described in Section 2160.420. Members, if represented by a certified bargaining agent, shall be advised of the right to have a Union Representative present when they are scheduled for an advisory board appeal.

- g) The Department shall notify the Units or Facilities designated Health Plan Representatives of the Administrative Service Organization being used and the address and forms needed to submit claims to the Administrative Service Organization.

- h) The Department shall audit Units and Facilities' records of participating Units and Facilities, such as payroll information, to verify enrollment and enforce eligibility rules under the Plan.

(Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993)

SUBPART C: RESPONSIBILITIES OF LOCAL GOVERNMENT AND QUALIFIED REHABILITATION FACILITIES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 2160.310 Enrollment Responsibilities

- a) Any Unit or Facility within the State of Illinois interested in the Program may apply to the Director to have its Employees provided group health coverage under this Act ~~on a non-insured basis~~. Annuity, Survivors and Dependents may also be offered coverage.
- b) To participate, Units and Facilities must agree to enroll ~~all~~ at least 85% of the full-time Employees of the Unit or Facility as Members, with the costs paid by the Unit or Facility, its Employees or some combination of the two, as determined by the Unit of Government or Facility.
 - 1) Employees must be employed at least half of the ~~Unit's or Facility's~~ normal work period as measured on a yearly basis, or meet the standard for participation in the Illinois Municipal Retirement Fund, except that elected government officials employed by the Units and Facilities have the option to participate in the Plan, regardless of the number of hours worked.
 - 2) Employees must receive Compensation from the Unit or Facility.
 - 3) Units and Facilities may permit Employees who work 50% to 90% of the Unit's or Facility's normal work period, to individually enroll as Members under the plan.
 - 4) Employees who work 90% or more of the Unit's or Facility's normal work period must be enrolled as Members in the Plan.
 - 5) Units shall not be required to enroll those of its employees who are covered spouses or dependents under this plan or another group policy or plan providing health benefits provided:
 - i) an appropriate official from the Unit or Facility attests that each employee not enrolled is a covered spouse or dependent under this plan or another group policy or plan; and
 - ii) at least 85% of the Employees are enrolled and the Unit or Facility remits the entire cost of providing coverage to those employees.
 - 6) Employees of a participating Unit or Facility who are not enrolled due to coverage under another group health policy or plan may enroll at a later date subject to submission of satisfactory evidence of insurability and provided that no benefits shall be payable for services incurred during the first 6 months of coverage to the extent the services are in connection with any Pre-Existing Condition.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- c) Units and Facilities may also elect to cover their Annuity.
- 1) Units and Facilities which elect to cover their Annuity shall allow Employees at the time of retiring the option to individually enroll in the Program. The option shall only be offered once to Annuity.
- 2) Annuity terminating from the Program shall not be allowed to participate in the Program in the future.
- 3) At any time of the initial enrollment only, Units and Facilities may also cover current Annuity. If a Unit or Facility elects to cover Annuity, then the Units' and Facilities' active Employees must be given the option to continue coverage upon retirement.
- d) Units and Facilities shall either provide Dependent coverage or offer such coverage on an optional basis. If a Unit or Facility offers Dependent coverage on an optional basis, the Unit or Facility shall make available high option only or both high and low options for Dependent coverage. "High Option" means the higher of two levels of Dependent coverage available under the Program. High option requires the same deductible and co-payment levels as the Low Option but limits out-of-pocket expenses, has unlimited contract year and lifetime benefit maximums. "Low Option" means one of two levels of Dependent coverage available under the Program. Low Option requires the same deductibles and co-payment levels as the High Option but does not provide comprehensive coverage for inpatient hospitalization. There is a limitation on benefits for room and board charges and no limits on out-of-pocket expenses with a \$250,000 contract year benefit maximum.
- e) Units and Facilities may enroll under the Program at the start of any month beginning July 1, 1990.
 - 1) The Units and Facilities must give the Department at least sixty days advance written notice before enrollment.
 - 2) A Unit or Facility may enroll for part of the State's Fiscal Year. If a Unit or Facility has been enrolled in the Program for a partial State Fiscal Year, the Unit or Facility must begin the second year on July 1 to coincide with the State's Fiscal Year which is also the new rate year.
- f) Units and Facilities will inform Members of the following responsibilities. Plan Members must:
 - 1) choose from coverages available.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) choose Dependent health care options.
- 2) be responsible for notifying the ~~Units of Facilities~~ Health Plan Representative of options chosen.
- 3) be responsible for reviewing the Local Government Health Plan Member Handbook describing health care coverage and claims submission requirements.
- g) Units and Facilities which enroll in the Program shall designate a person to be the Health Plan Representative. The responsibilities of the Health Plan Representative are described in Section 2160.410.
- h) If the Unit or Facility exempts Members' premiums from taxes, in compliance with Section 125 of the Internal Revenue Code (26 U.S.C. 125), the Unit or Facility must comply with Internal Revenue Code requirements which prohibit changes in the Member deduction during the Fiscal Year unless the Member has a change in family status.
- i) Units and Facilities do not limit their duty to bargain with representatives of any collective bargaining unit of their Employees through participation in the program.
- j) Compliance with the continuation of benefits requirements of the federal Consolidated Omnibus Budget Reconciliation Act of 1985, (COBRA) is the responsibility of the Unit or Facility. All premiums must be collected and terminated by the Unit or Facility.

(Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993)

Section 2160.320 Premium Collection

The Unit or Facility shall be responsible for the collection and transmission of Member and Dependent premiums.

- a) For the first month's premium only, the Department must receive the premium by the first day of coverage. This premium is non-refundable if the Unit or Facility does not enroll.
- b) For the subsequent months, the total amount due as specified in the billing statement which includes the combined amount due from Members, Dependents and the Unit or Facility shall be paid in full by the last calendar day of the month the billing is received.
- c) Payments not received by the last day of the coverage month shall be considered delinquent and shall result in the suspension of payment of claims for services provided. Payment shall be withheld until the Department receives the full monthly premium due.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- (Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993)
- Section 2160.325 Program Termination
- a) Grounds for program termination include but are not limited to:
- 1) any material breach of the Intergovernmental Cooperation Agreement
 - 2) failure to pay the full monthly premium by the last day of the coverage month
 - 3) non-compliance with enrollment responsibilities in accordance with Section 2160.310
 - 4) failure to meet the eligibility requirements of a Qualified Unit of Local Government, Qualified Rehabilitation Facility or ~~Qualified Units of Local Government~~ Qualified Domestic Violence Shelter or Service.
- b) The Department shall issue one notice of termination. Termination shall be effective 15 days after notice of termination.
- c) Once termination occurs, the Unit or Facility shall not be permitted to enroll in the program for a period of five years.
- d) Coverage terminates on the last day for which premium has been paid.

(Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993)

Section 2160.330 Signing the Agreement

Units and Facilities must sign an agreement with the Department.

- a) The first agreement will shall cover the actual period the Unit or Facility is enrolled between July 1--1990 through June 30--1992 of the first Fiscal Year and through the end of the second Fiscal Year.
- b) Subsequent agreements shall be effective for two state Fiscal Years.
- c) The agreement will shall be prepared by the Department and will shall contain the premium rates to be charged during the first Fiscal Year.

(Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993)

SUBPART D: RESPONSIBILITIES OF LOCAL GOVERNMENT HEALTH PLAN REPRESENTATIVES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 2160.410 The Health Plan Representatives

- a) The Health Plan Representative shall be an Employee of the Unit or Facility, designated by the Unit or Facility to perform the duties described in the Subpart.
- b) The Health Plan Representative will shall:
 - 1) enroll Members and their Dependents, and
 - 2) provide enrollment and termination information to the Department on enrollment and change forms provided by the Department, and
 - 3) report to the Department all enrollments on the Enrollment Application and all terminations on the Local Government Health Plan Change/Verification Change Form. Enrollments/terminations received in the Department by the 20th of the month will be processed and reflected on the next month's billing statement. The Unit or Facility will receive documentation of the transaction being processed through a Change/Verification Change Form.
 - 4) ensure that the Dependent Statement of Health form is completed properly and submitted to the Administrative Service Organization when required for enrollment.

(Source: Amended at 12 Ill. Reg. 11441, effective July 9, 1993)

SUBPART E: RESPONSIBILITIES OF THE ADVISORY BOARD

Section 2160.510 Appointment of Advisors

The Director shall establish the Local Government Health Plan Advisory Board. This Advisory Board shall consist of seven advisors from Units, ~~or~~ Facilities or Shelters who shall be appointed by the Director.

- a) Advisory Board members shall be appointed by the Director on September 1.
- b) Of the initial appointments, three advisors shall be appointed for one year, two advisors shall be appointed for two years, and two advisors shall be appointed for three years. If the Unit or Facility from which the Advisor was appointed withdraws from the Plan prior to the expiration of the term, the appointment will terminate. All subsequent appointments shall be three year appointments or until the Unit or Facility withdraws from the Plan, whichever is less.

(Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

SUBPART F: FUNDING

Section 2160.610 Local Government Health Insurance Reserve Fund

- a) The Director shall establish the Local Government Health Insurance Reserve Fund. This Fund shall be a continuing Fund not subject to Fiscal Year limitations.
- b) Monthly premium payments by Units and Facilities for group health coverage shall be deposited in this Fund. Monthly premium payments by Units and Facilities shall be the sole source of funds.
- c) All expenditures from this Fund shall be used for payments of ~~Units and Facilities' Members'~~ health care benefits and to reimburse the Department and its Administrative Service Organization for all expenses incurred in the administration of the Plan. No other State funds shall be used for these purposes.
- d) Any deficit in the Fund from one Fiscal Year shall be amortized over three years in three equal amounts.
- e) Any surplus in the Fund of the aggregate premium that occurs in one Fiscal Year shall be used to reduce the aggregate premium for the next year.

(Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993)

Section 2160.620 Premium Rate Structure

The Director shall annually determine monthly rates of payment subject to the following constraints.

- a) A tiered rate methodology shall be employed.
- b) Units and Facilities shall be assigned a rate tier based on the projected costs for each Unit and Facility according to guidelines listed below.

- 1) In the first Fiscal Year of coverage the rates shall be equal to the amount normally charged to the State employees for elected optional coverages or for enrolled dependents' coverages or other contributory coverages, or contributed by the State for basic insurance coverages on behalf of its employees, adjusted for differences between State employees and Employees of the ~~Qualified Unit of Local Government or Qualified-Rehabilitation Facility~~ in age, sex, geographic location, plus an amount (which shall be between 4% and 12% of such charges) sufficient to pay for the additional administrative costs of providing coverage to Members of the ~~a~~ Qualified Unit of Local Government or Qualified

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Rehabilitation Facility and their Dependents. The proportion of the cost that the Unit or Facility contributes toward the Dependent premium shall also be used in the calculation to determine the projected costs for the Unit or Facility. A margin to cover fluctuation in the amount of claims shall also be added to the premium. The amount of the margin applied shall vary, depending on the size of the Units-and or Facilities.

- 2) In subsequent years, a further adjustment shall be made to the premium rates to reflect both demographic data and actual prior years' claims experience of the Members of the Unit or Facility, plus an amount sufficient to pay for the additional administrative costs of providing coverage to Members of the Unit or Facility and their Dependents. The proportion that the Unit or Facility contributes toward the Dependent premium shall also be used in the calculation to determine the projected costs for the Unit or Facility. A margin to cover fluctuations in the amount of claims shall also be added to the premium. The amount of the margin applied shall vary (which shall be between 4% and 12% of such charges), depending on the size of the Units-and or Facilities.

- 3) ~~In no case shall the rate be less than the amount normally charged to State employees or contributed by the State on behalf of its employees.~~ In the case of coverage under a health maintenance organization, the Director shall annually determine for each participating Unit or Facility the maximum monthly amount the Unit or Facility may contribute toward that coverage, based on an analysis of:

- i) the age, sex, geographic location, and other relevant demographic variables of Employees and
- ii) the cost to cover those Employees under the State group health insurance plan.

- 4) The Director may similarly determine the maximum monthly amount each Unit or Facility may contribute toward coverage of Dependents under a health maintenance organization.

- 4)5) Premium rates shall remain unchanged throughout the Fiscal Year. A Unit or Facility shall experience a one-tier rate increase or decrease, if the projected costs, based on employee demographics and actual prior years' claims experience of Members and Dependents, warrant such an increase or decrease for the following Fiscal Year.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- c) Beginning with the first year, Units and Facilities which enroll more than 1,000 Members shall be individually experience rated to determine the monthly premium rates.

(Source: Amended at 17 Ill. Reg. 11441, effective July 9, 1993)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Child Custody Investigations and Supervision Related to Custodian or Visitation Judgements
- 2) Code Citation: 89 Ill. Adm. Code 330
- 3) Section Numbers: Adopted Action:
330.5 Amendment
330.6 Amendment
- 4) Statutory Authority: Implementing Sections 605 and 608 of the Illinois Marriage and Dissolution of Marriage Act (Ill. Rev. Stat. 1991, ch. 40, pars. 605 and 608) [750 ILCS 5/605 and 5/608] and Section 5 of the Children and Family Services Act (Ill. Rev. Stat. 1991, ch. 23, par. 5005) [20 ILCS 505/5].
- 5) Effective Date of Amendments: July 1, 1993
- 6) Does this rulemaking contain an automatic repeal date: Yes ☐ No ☒
If so, please specify date:
- 7) Do these amendments contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 1, 1993
- 9) Notice(s) of Proposal Published in Illinois Register: February 5, 1993 at 17 Ill. Reg. 1259.
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No.
- 11) Difference(s) between proposal and final version: Updated the reference in Section 330.6 (c) to include "Department of Central Management Services, Travel Regulation Council, travel rule (80 Ill. Adm. Code 3000)".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- 13) Will these amendments replace an emergency rule currently in effect? No.
- 14) Are there any amendments pending on this Part? No.

- 15) Summary and Purpose of these amendments: These rules are amended to add a revised schedule of projected costs related to court ordered child custody investigations and/or supervised visitations as required by Public Act 87-824 to allow the Department to submit projected court costs when the court has determined that the persons involved are financially able to pay the incurred cost.
- 16) Information and questions regarding these amendments shall be directed to:
Name: Jacqueline Nottingham, Chief
Address: Office of Rules and Procedures
Department of Children and Family Services
406 East Monroe
Springfield, Illinois 62701-1498
Telephone: 217/524-1983
TDD 217/524-3715
- 17) The full text of the adopted amendments is as follows:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER b: PROGRAM AND TECHNICAL SUPPORT

PART 330
CHILD CUSTODY INVESTIGATIONS AND SUPERVISION RELATED TO
CUSTODIAN OR VISITATION JUDGMENTS

Section	Purpose
330.1	Definitions
330.2	Conducting the Investigation
330.3	Custody or Visitation Supervision
330.4	Reports
330.5	Costs

AUTHORITY: Implementing and authorized by Sections 605 and 608 of the Illinois Marriage and Dissolution of Marriage Act (Ill. Rev. Stat. 1991, ch. 40, pars. 605 and 608) [750 ILCS 5/605 and 608] and Section 5 of the Children and Family Services Act (Ill. Rev. Stat. 1991, ch. 23, par. 5005) [20 ILCS 505/5].

SOURCE: Adopted and codified at 5 Ill. Reg. 6731, effective June 26, 1981; amended at 17 Ill. Reg. 11457, effective July 1, 1993.

Section 330.5 Reports

- a) A report concerning a child custody investigation shall be prepared by the Department and shall be sent at least ten (10) calendar days before the hearing to the legal counsel representing each party, to anyone else who is representing each part, and to each party who is not represented by counsel. Also upon request, the Department shall make a photocopy of the case file of the investigation, as provided in Illinois--Revised--Statutes--Chapter-40--Section-6057 Ill. Rev. Stat. 1991, ch. 23, par. 5005 [20 ILCS 505/5], available to legal counsel representing each party, to anyone else who is representing each party, or to each party who is not represented by counsel. The costs of photocopying will be detailed as per Section 330.6 below. The names and addresses of the persons consulted for information shall be included in the case file. Any party has the right to cross-examine the investigator or those persons contacted by the investigator. Department staff shall appear at the hearing only when subpoenaed.
- b) Both parties to custodian or visitation judgments shall be notified in writing of the Department's supervisory role. Reports concerning supervision specific arrangements related to custodian or supervised visitation judgments shall be submitted to the judge according to the instructions in court within sixty (60) days of the court order.

(Source: Amended at 17 Ill. Reg. 11457, effective July 1, 1993)

Section 330.6 Costs

- a) When the child custody investigation report is sent to the counsel of the parties, the Department shall request, in writing, that the court enter an order against either or both parties to pay for Department-incurred costs. In-custodian-or-visitiation-judgment supervision-situations, the Department shall send to the court monthly information-related-to-costs-incurred-by-the-Department-----the following-costs-schedule-shall-be-utilized-
- b) When the court has ordered supervised visitation, the Department shall submit in writing the projected monthly costs within sixty (60) days of the court order. The projected costs shall be sent to the court only for cases where the court has determined that the parties are financially able to pay. The court may order additional periodic reports, as appropriate.

The following cost schedule shall be used to project monthly incurred

Cost:		
Worker Time	-	\$11.00/hour \$18.25/hour
Clerical Time	-	\$6.50/hour \$11.11/hour
Travel	-	Department of Administrative Central Management Services, Travel Regulation Council, travel rule rate (80 Ill. Adm. Code 3000)
Photocopies	-	10¢/page
Diagnostic Assessment	-	Actual Expenditure

(Source: Amended at 17 Ill. Reg. 11457, effective July 1, 1993)

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

1) Heading of Part: Permit Fees for Installing or Extending Sewers

2) Code Citation: 35 Ill. Adm. Code 320

3) Section Numbers: Adopted Action:

320.101 New Section
320.102 New Section
320.103 New Section
320.104 New Section
320.105 New Section
320.201 New Section
320.202 New Section
320.203 New Section
320.204 New Section
320.301 New Section
320.302 New Section

4) Statutory Authority: Implementing and authorized by Section 12.2 of the Environmental Protection Act, (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1012.2) [415 ILCS 5/12.2].

5) Effective Date of Rule: July 8, 1993

6) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒

If so, please specify date: _____

7) Does this rulemaking contain incorporations by reference? No

If yes, was a copy of the approval form issued by JCAR attached to this rulemaking?

8) Date Filed in Agency's Principal Office: June 30, 1993

9) Notice(s) of Proposal Published in Illinois Register: 17 Ill. Reg. 2469, February 26, 1993.

10) Has JCAR issued a Statement of Objections to these rules: No

11) Differences between proposal and final version: In subsection 302.201(b)(3), "DESIGN POPULATION GREATER THAN 20 TO 100" has been changed to "DESIGN POPULATION GREATER THAN 20 BUT LESS THAN 100". In subsection 320.301(c), "SECTION" has been changed to "PART" and "OF THE PART" has been added to "FEES BEING DUE UNDER SECTION 320.201." In subsection 320.301(d) "90 DAYS OF THE DATE" has been changed to "90 DAYS AFTER THE DATE."

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Not applicable.

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary of Purpose of Rulemaking: These rules establish procedures for the collection by the Agency of fees for the review of permit applications for the construction or extension of sewers.

16) Information and questions regarding this adopted rule shall be directed to:

Name: Lisa Moreno
Assistant Counsel
Address: Division of Legal Counsel
Illinois Environmental Protection Agency
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276
Telephone: 217/782-5544

The full text of the Rule begins on the next page:

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE C: WATER POLLUTION

CHAPTER 11: ENVIRONMENTAL PROTECTION AGENCY

PART 320

PERMIT FEES FOR INSTALLING OR EXTENDING SEWERS

SUBPART A: GENERAL

Section
320.101
320.102
320.103
320.104
320.105

Definitions
Purpose
Applicability
Relation to Other Fee Systems
Severability

SUBPART B: PROCEDURES FOR DETERMINATION AND PAYMENT OF FEES

Section
320.201
320.202
320.203
320.204

Amount of the Fee
Manner of Payment
Prohibition Against Refund
Audit and Access to Records

SUBPART C: PROCEDURES FOR PROCESSING PERMIT APPLICATIONS

Section
320.301
320.302

Permit Applications Containing the Entire Fee
Permit Applications Not Containing the Entire Fee

AUTHORITY: Implementing and authorized by Section 12.2 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1012.2) (415 ILCS 5/12.2).

SOURCE: Adopted at 17 Ill. Reg. 11461, effective July 8, 1993.

SUBPART A: GENERAL

Section 320.101 Definitions

- a) Unless specified otherwise, all terms shall have the meaning set forth in the Act.
- b) For purposes of this Part, the following definitions apply:
 - i) "Act" means the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1001 et seq.) (415 ILCS 5).
 - ii) "Agency" means the Illinois Environmental Protection Agency.
 - iii) "Applicant" means a person who applies for a construction permit to install or extend sewers pursuant to Title III of the Act or 35 Ill. Adm. Code: Subtitle C.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED RULES

1) "Design Population" means:

- A) for purposes of new sewer systems, wasteload in terms of population equivalents contained within the proposed service area covered by the permit application;
- B) for purposes of sewer extensions or connections, additional wasteload in terms of population equivalents contained within the service area added by the entire sewer proposed in the permit application.
- b) "Fee" means the fee prescribed by Section 12.2 of the Act.
- b) "Population Equivalent" means that one population equivalent is 100 gallons of sewage per day, containing 0.17 pounds of BOD5 (five day biochemical oxygen demand) and 0.20 pounds of suspended solids, on the basis of the highest individual value of the three parameters.
- c) "Sewage" means water-carried human and related wastes from any source (35 Ill. Adm. Code 301.385).
- d) "Sewer" means a stationary means of transport, excluding natural waterways, constructed and operated primarily for the purpose of collecting and transporting sewage.

Section 320.102 Purpose

The purpose of this Part is to establish procedures for collection of fees for construction permits from applicants for sewer construction permits under paragraph (b) of Section 12 of the Environmental Protection Act.

Section 320.103 Applicability

- a) Except as provided otherwise in subsection (b) below, this Part applies to each applicant for a construction permit under Title III of the Act, or 35 Ill. Adm. Code: Subtitle C, to install or extend sewers.
- b) This Part does not apply to:
 - 1) Any Department, agency or unit of State government for installing or extending a sewer;
 - 2) Any unit of local government with which the Agency has entered into a written delegation agreement under Section 4 of the Act which allows such unit to issue construction permits under Title III of the Act, or regulations adopted thereunder, for installing or extending a sewer; or
 - 3) Any unit of local government or school district for installing or extending a sewer where both of the following conditions are met:
 - A) The cost of the installation or extension is paid wholly from monies of the unit of local government or school district, State grants or loans, federal grants or loans, or any combination thereof; and
 - B) The unit of local government or school district is not given monies, reimbursed or paid, either in whole or in part, by another person (except for State grants or loans or federal

NOTICE OF ADOPTED RULES

grants or loans) for the installation or extension.
(Section 12.2(e) of the Act)

Section 320.104 Relation to Other Fee Systems

The fees collected pursuant to this Part, and the fee collection procedures set forth in this Part, are separate from and in addition to all other fees and fee systems established by law.

Section 320.105 Severability

If any provision of this Part or the application thereof to any person or in any circumstance is adjudged invalid, such adjudication shall not affect the validity of this Part as a whole or any provision thereof not adjudged invalid.

SUBPART B: PROCEDURES FOR DETERMINATION AND PAYMENT OF FEES**Section 320.201 Amount of the Fee**

- a) Each applicant subject to this Part pursuant to Section 320.102 shall pay a fee to be submitted with the permit application. See 35 Ill. Adm. Code 370.Appendix A and 35 Ill. Adm. Code 370.Appendix B for guidance in determining design population.
- b) *The amount of fee is as follows:*
- 1) \$50 for any sewer constructed to serve a design population of 1.
 - 2) \$200 for any sewer constructed to serve a design population of 2 to 20.
 - 3) \$400 for any sewer constructed to serve a design population greater than 20 but less than 100.
 - 4) \$600 for any sewer constructed to serve a design population of greater than 100 but less than 500.
 - 5) \$1,200 for any sewer constructed to serve a design population of 500 or more. (Section 12.2(c) of the Act)

Section 320.202 Manner of Payment

- a) Payment of the fee must be by certified or cashiers check for each permit application payable to "Treasurer, State of Illinois", designated to the Environmental Protection Permit and Inspection Fund with the applicant's Federal Employee Identification Number (FEIN) or Social Security number appearing on the face of the check and shall be submitted along with the permit application to:

Illinois Environmental Protection Agency
Division of Water Pollution Control
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276

- b) Payment shall not include any fees due to the Agency for any purpose

NOTICE OF ADOPTED RULES

other than the fee due under Section 320.201 of this Part.

Section 320.203 Prohibition Against Refund

No fee remitted to the Agency under this Part shall be refunded in whole or in part at any time or for any reason. (Section 12.2(f) of the Act)

Section 320.204 Audit and Access to Records

- a) Each applicant for which a fee is due under this Part shall preserve and maintain all records relating to calculation of the fee for at least 5 years after the date on which the permit application is received by the Agency.
- b) The records described in subsection (a) of this Section shall be available to the Agency or its authorized representative (e.g., auditor, contractor) for examination during normal business hours.

SUBPART C: PROCEDURES FOR PROCESSING PERMIT APPLICATIONS**Section 320.301 Permit Applications Containing the Entire Fee**

- a) Applications received by the Agency will be logged in and assigned a receipt date and number. The application shall be accepted if the following conditions are met:

- 1) The application is complete in accordance with Title III of the Act and regulations adopted thereunder; and
- 2) The entire fee due under Section 320.201 of this Part is included with the application.
- b) *The Agency shall, not later than 45 days following the receipt of both an application for a construction permit and the fee required by this Part, either approve that application and issue a permit or tender to the applicant a written statement setting forth with specificity the reasons for the disapproval of the application and denial of a permit in accordance with Sections 12.2 and 39(a) of the Act. If there is no final action by the Agency within 45 days after the filing of the application for a permit, the applicant may deem the permit issued.* (Section 12.2(g) of the Act)

- c) Prior to a final Agency decision on a permit application for which a fee has been paid under this Part, the applicant may propose modification to the application in accordance with the Act and regulations adopted thereunder without any additional fee becoming due unless the proposed modifications cause an increase in the design population served by the sewer specified in the permit application before the modifications. If the modifications cause such an increase and the increase results in additional fees being due under Section 320.201 of this Part, the applicant shall submit the additional fee to the Agency with the proposed modifications. (Section 12.2(d) of the Act) If the applicant proposes a modification prior to a final Agency decision on the permit application, the 45 day review period

NOTICE OF ADOPTED RULES

described in Subsection 320.301(b) above shall commence on the date that such modification and any required fee, as provided in this subsection, is received.

- d) If modifications to the permit application are received by the Agency from the applicant within 90 days after the date of permit denial in accordance with subsection (b) of this Section, and if such modifications would allow approval of the application, a permit will be issued without additional fees becoming due under this Part, unless the proposed modifications cause an increase in the design population served by the sewer specified in the permit application before the modifications. If the modifications cause such an increase and the increase results in additional fees being due under Section 320.201 of this Part, the applicant shall submit the additional fee to the Agency with the modifications.
- e) If modifications to an existing permit are proposed before the date specified in the permit for completion of construction in accordance with the Act and regulations adopted thereunder and if such modifications would allow approval of the application, a permit will be issued without additional fees becoming due under this Part, unless the proposed modifications cause an increase in the design population served by the sewer specified in the permit application before the modifications. If the modifications cause such an increase additional fees will be due under Section 320.201 of this Part, and the applicant shall submit the additional fee to the Agency with the modifications.
- f) Requests for extensions of permit expiration dates or requests for modifications to an existing permit other than those specified in this Section shall be considered new applications subject to the fees specified in Section 320.201 of this Part.
- g) Except in those cases where permit denial has been appealed to the Illinois Pollution Control Board in accordance with Section 40 of the Act, submissions received by the Agency more than 90 days after the date of permit denial in accordance with subsection (b) shall be considered new applications subject to the fees specified in Section 320.201 of this Part.

Section 320.302 Permit Applications Not Containing the Entire Fee

Applications not containing the entire fee shall be considered incomplete. The Agency shall take the following actions in response to such applications:

- a) The Agency shall deposit any fees submitted along with the application and shall notify the applicant of the fee deficiency. Within 30 days the applicant must submit the balance of the fee that is due.
- 1) If the entire fee due is received by the Agency within 30 days after issuance of the notice under subsection (a), the Agency shall accept the application in accordance with Section 320.301 of this Part.
- 2) If the required fee is not received within 30 days after the

- b) The 45 day review period described in Section 320.301(b) of this Part shall commence on the date of acceptance assigned in accordance with Section 320.301(a) of this Part.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of Part: Minimum Standards for Individual and Group Medicare Supplement Insurance
- 2) Code Citation: 50 Ill. Adm. Code 2008
- 3) Section Number: Adopted Action:
2008.73 Amended
- 4) Statutory Authority: Implementing Sections 363 and 363a and authorized by Section 401 of the Illinois Insurance Code (215 ILCS 5/363, 5/353a and 5/401).
- 5) Effective Date of Amendment: July 9, 1993
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference?
No
- 8) Date filed in Agency's Principal Office: July 9, 1993
- 9) Notice of Proposal Published in Illinois Register:
December 1, 1992, 16 Ill. Reg. 18917
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version: No substantive changes were made.
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
Yes
- 13) Will this amendment replace an emergency rule currently in effect? Yes
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of rulemaking: The Health Care Financing Administration (HCFA) will be identifying the State of Illinois as a participant in the Medicare Select program. This announcement will be made in April of 1993, by publication in the Federal Register.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENT

A Medicare Select provider will be able to offer the insured coverage which differs from the standard Medicare policy in that restricted network provisions are utilized.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Mark Fulgenzi
Department of Insurance
320 West Washington
Springfield, Illinois 62767

The full text of the Adopted Amendment begins on the next page.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER 2: ACCIDENT AND HEALTH INSURANCE

PART 2008

MINIMUM STANDARDS FOR INDIVIDUAL AND GROUP

MEDICARE SUPPLEMENT INSURANCE

Section	Authority
2008.10	Purpose
2008.20	Applicability and Scope
2008.30	Definitions
2008.40	Policy Definitions and Terms
2008.50	Policy Provisions
2008.60	Benefit Conversion Requirements During Transition
2008.61	(Repealed)
2008.70	Minimum Benefit Standards for Policies or
	Certificates Issued for Delivery Prior to the
	Effective Date of this Part
2008.71	Benefit Standards for Policies or Certificates
	Issued or Delivered on or After the Effective Date
	of this Part
2008.72	Standard Medicare Supplement Benefit Plans
2008.73	Medicare Select Policies and Certificates
2008.74	Open Enrollment
2008.75	Standards for Claims Payment
2008.80	Loss Ratio Standards and Refund or Credit of
	Premium
2008.81	Filing and Approval of Policies and Certificates
	and Premium Rates
2008.82	Permitted Compensation Arrangements
2008.90	Required Disclosure Provisions
2008.100	Requirements for Application Forms and Replacement
	Coverage
2008.101	Standards for Marketing
2008.102	Appropriateness of Recommended Purchase and
	Excessive Insurance
2008.103	Reporting of Multiple Policies
2008.104	Prohibition Against Preexisting Conditions, Waiting
	Periods, Elimination Periods and Probationary
	Periods in Replacement Policies or Certificates
2008.110	Severability
2008.120	Effective Date (Repealed)
2008.APPENDIX A	Policy Checklist
2008.APPENDIX B	Outline of Medicare Supplement Coverage-Cover

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

2008.APPENDIX C Plan A
2008.APPENDIX D Plan B
2008.APPENDIX E Plan C
2008.APPENDIX F Plan D
2008.APPENDIX G Plan E
2008.APPENDIX H Plan F
2008.APPENDIX I Plan G
2008.APPENDIX J Plan H
2008.APPENDIX K Plan I
2008.APPENDIX L Plan J
2008.APPENDIX M Notice to Applicant Regarding Replacement of
Accident and Sickness Insurance
2008.APPENDIX N Medicare Supplement Refund Calculation Format
2008.APPENDIX O Notice of Medicare Changes
2008.APPENDIX P Medicare Supplement Policies Report

AUTHORITY: Implementing Sections 363 and 363a and authorized
by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat.
1991, ch. 73, pars. 975, 975a and 1013) [215 ILCS 5/363, 5/363a
and 5/401].

SOURCE: Adopted at 6 Ill. Reg. 7115, effective June 1, 1982;
adopted at 6 Ill. Reg. 7115, effective January 1, 1983; codi-
fied at 7 Ill. Reg. 3474; emergency amendment at 13 Ill. Reg.
586, effective January 1, 1989, for a maximum of 150 days;
amended at 13 Ill. Reg. 8520, effective May 23, 1989; amended
at 14 Ill. Reg. 19243, effective November 27, 1990; amended at 16
Ill. Reg. 2766, effective February 11, 1992; corrected at 16
Ill. Reg. 3590; amended at 16 Ill. Reg. 15452, effective Sep-
tember 29, 1992; emergency amendment at 16 Ill. Reg. 19226,
effective December 1, 1992, for a maximum of 150 days; amended
at 17 Ill. Reg. 11469, effective July 9, 1993.

Section 2008.73 Medicare Select Policies and Certificates

- a) This Section shall apply to Medicare Select policies and certificates, as defined in this Section. ~~The State of Illinois has not been chosen as a Medicare Select State; therefore, the provisions of this Section do not apply to Illinois Medicare policies or certificates.~~ No policy or certificate may be advertised as a Medicare Select policy or certificate unless it meets the requirements of this Section.
- b) For the purposes of this Section:

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

- 1) "Complaint" means any dissatisfaction expressed by an individual concerning a Medicare Select issuer or its network providers.
 - 2) "Grievance" means dissatisfaction expressed in writing by an individual insured under a Medicare Select policy or certificate with the administration, claims practices, or provision of services concerning a Medicare Select issuer or its network providers.
 - 3) "Medicare Select issuer" means an issuer offering, or seeking to offer, a Medicare Select policy or certificate.
 - 4) "Medicare Select policy" or "Medicare Select certificate" mean respectively a Medicare supplement policy or certificate that contains restricted network provisions.
 - 5) "Network provider" means a provider of health care, or a group of providers of health care, which has entered into a written agreement with the issuer to provide benefits insured under a Medicare Select policy.
 - 6) "Restricted network provision" means any provision which conditions the payment of benefits, in whole or in part, on the use of network providers.
 - 7) "Service area" means the geographic area approved by the Director within which an issuer is authorized to offer a Medicare Select policy.
- c) The Director of Insurance may authorize an issuer to offer a Medicare Select policy or certificate, pursuant to this Section and Section 4358 of the Omnibus Budget Reconciliation Act (OBRA) of 1990 if the Director finds that the issuer has satisfied all of the requirements of this Part.
- d) A Medicare Select issuer shall not issue a Medicare Select policy or certificate in this State until its plan of operation has been approved by the Director of Insurance.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

- e) A Medicare Select issuer shall file a proposed plan of operation with the Director of Insurance in a format prescribed by the Director. The plan of operation shall contain at least the following information:
- 1) Evidence that all covered services that are subject to restricted network provisions are available and accessible through network providers, including a demonstration that:
 - A) Such services can be provided by network providers with reasonable promptness with respect to geographic location, hours of operation and after-hour care. The hours of operation and availability of after-hour care shall reflect usual practice in the local area. Geographic availability shall reflect the usual travel times within the community.
 - B) The number of network providers in the service area is sufficient, with respect to current and expected policyholders, either:
 - (i) To deliver adequately all services that are subject to a restricted network provision; or
 - (ii) To make appropriate referrals.
 - C) There are written agreements with network providers describing specific responsibilities.
 - D) Emergency care is available twenty-four (24) hours per day and seven (7) days per week.
 - E) In the case of covered services that are subject to a restricted network provision and are provided on a prepaid basis, there are written agreements with network providers prohibiting such providers from billing or otherwise seeking reimbursement from or recourse against any individual insured under a Medicare Select policy or certificate. This subsection shall not apply to supplemental charges or coinsurance amounts as stated in the Medicare Select policy or certificate.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

- 2) A statement or map providing a clear description of the service area.
 - 3) A description of the grievance procedure to be utilized.
 - 4) A description of the quality assurance program, including:
 - A) The formal organizational structure;
 - B) The written criteria for selection, retention and removal of network providers; and
 - C) The procedures for evaluating quality of care provided by network providers, and the process to initiate corrective action when warranted.
 - 5) A list and description, by specialty, of the network providers.
 - 6) Copies of the written information proposed to be used by the issuer to comply with subsection (i) below.
 - 7) Any other information requested by the Director of Insurance.
- f) A Medicare Select issuer shall:
- 1) File any proposed changes to the plan of operation, except for changes to the list of network providers, with the Director prior to implementing such changes. Such changes shall be considered approved by the Director after thirty (30) days unless specifically disapproved.
 - 2) An updated list of network providers shall be filed with the Director of Insurance at least quarterly.
- g) A Medicare Select policy or certificate shall not restrict payment for covered services provided by non-network providers if:
- 1) The services are for symptoms requiring emergency care or are immediately required for an unforeseen illness, injury or a condition; and

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

- 2) It is not reasonable to obtain such services through a network provider.
- h) A Medicare Select policy or certificate shall provide payment for full coverage under the policy for covered services that are not available through network providers.
- i) A Medicare Select issuer shall make full and fair disclosure in writing of the provisions, restrictions, and limitations of the Medicare Select policy or certificate to each applicant. This disclosure shall include at least the following:
- 1) An outline of coverage sufficient to permit the applicant to compare the coverage and premiums of the Medicare Select policy or certificate with:
 - A) Other Medicare supplement policies or certificates offered by the issuer; and
 - B) Other Medicare Select policies or certificates.
 - 2) A description (including address, phone number and hours of operation) of the network providers, including primary care physicians, specialty physicians, hospitals, and other providers.
 - 3) A description of the restricted network provisions, including payments for coinsurance and deductibles when providers other than network providers are utilized.
 - 4) A description of coverage for emergency and urgently needed care and other out of service area coverage.
 - 5) A description of limitations on referrals to restricted network providers and to other providers.
 - 6) A description of the policyholder's right to purchase any other Medicare supplement policy or certificate otherwise offered by the issuer.
 - 7) A description of the Medicare Select issuer's quality assurance program and grievance procedure.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

- j) Prior to the sale of a Medicare Select policy or certificate, a Medicare Select issuer shall obtain from the applicant a signed and dated form stating that the applicant has received the information provided pursuant to subsection (i) above and that the applicant understands the restrictions of the Medicare Select policy or certificate.
- k) A Medicare Select issuer shall have and use procedures for hearing complaints and resolving written grievances from the subscribers. Such procedures shall be aimed at mutual agreement for settlement and may include arbitration procedures.
- 1) The grievance procedure shall be described in the policy and certificates and in the outline of coverage.
 - 2) At the time the policy or certificate is issued, the issuer shall provide detailed information to the policyholder describing how a grievance may be registered with the issuer.
 - 3) Grievances shall be considered in a timely manner and shall be transmitted to decisionmakers who have authority to investigate the issue and take corrective action.
 - 4) If a grievance is found to be valid, corrective action shall be taken promptly.
 - 5) All concerned parties shall be notified about the results of a grievance.
 - 6) The issuer shall report no later than each March 31st to the Director of Insurance regarding its grievance procedure. The report shall be in a format prescribed by the Director and shall contain the number of grievances filed in the past year and a summary of the subject, nature and resolution of such grievances.
 - 1) At the time of initial purchase, a Medicare Select issuer shall make available to each applicant for a Medicare Select policy or certificate the opportunity to purchase any Medicare supplement policy or certificate otherwise offered by the issuer.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

- m) At the request of an individual insured under a Medicare Select policy or certificate, a Medicare Select issuer shall make available to the individual insured the opportunity to purchase a Medicare supplement policy or certificate offered by the issuer which has comparable or lesser benefits and which does not contain a restricted network provision. The issuer shall make such policies or certificates available without requiring evidence of insurability after the Medicare supplement policy or certificate has been in force for six (6) months.
- 1) For the purposes of this subsection, a Medicare supplement policy or certificate will be considered to have "comparable or lesser" benefits unless it contains one or more significant benefits not included in the Medicare Select policy or certificate being replaced.
 - 2) For the purposes of this subsection, a "significant benefit" means coverage for the Medicare Part A deductible, coverage for prescription drugs, coverage for at-home recovery services or coverage for Part B excess charges.
 - n) Medicare Select policies and certificates shall provide for continuation of coverage in the event the Secretary of Health and Human Services determines that Medicare Select policies and certificates issued pursuant to this Section should be discontinued due to either the failure of the Medicare Select Program to be reauthorized under law or its substantial amendment.
 - 1) Each Medicare Select issuer shall make available to each individual insured under a Medicare Select policy or certificate the opportunity to purchase any Medicare supplement policy or certificate offered by the issuer which has comparable or lesser benefits and which does not contain a restricted network provision. The issuer shall make such policies and certificates available without requiring evidence of insurability.
 - 2) For the purposes of this subsection, a Medicare supplement policy or certificate will be considered to have "comparable or lesser" benefits unless it contains one or more significant benefits not

DEPARTMENT OF INSURANCE

DEPARTMENT OF PUBLIC AID

93

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

included in the Medicare Select policy or certificate being replaced. For the purposes of this subsection, a "significant benefit" means coverage for the Medicare Part A deductible, coverage for prescription drugs, coverage for at-home recovery services or coverage for Part B excess charges.

- o) A Medicare Select issuer shall comply with requests for data made by State or federal agencies, including the United States Department of Health and Human Services, for the purpose of evaluating the Medicare Select Program.

(Source: Amended at 17 Ill. Reg. 11469, effective July 9, 1993)

- 1) Heading of the Part: Developmental Disabilities Service

- 2) Code Citation: 89 Ill. Adm. Code 144

- 3) Section Numbers: Adopted Action:

144.5	Amendment
144.25	Amendment
144.50	Amendment
144.75	Amendment
144.125	Amendment
144.150	Amendment
144.175	Amendment
144.205	Amendment
144.250	Amendment

- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13) [305 ILCS 5/12-13]

- 5) Effective Date of Amendments: July 16, 1993

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Do these Amendments contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: July 16, 1993

- 9) Notice of Proposal Published in Illinois Register:

February 26, 1993 (17 Ill. Reg. 2477)

- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

- 11) Differences between proposal and final version: Several changes have been made in the proposed amendments.

Section 144.250(b) has been changed to read:

According to Medicaid Regulations (42 CFR 483.440 (a) and (b), 1989), an individual who resides in a facility (ICF/MR) must be in need of and receiving active treatment services.

Remaining text from subsection (b) has been moved into a new subsection (c) as follows:

An individual who resides in a facility (ICF/MR) and does not meet the foregoing residence requirements must be discharged to a non-Medicaid facility or other living arrangement. If the facility

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

has attempted to secure an appropriate living arrangement as determined by the IDT for the individual, but such a placement is not available, the facility must document all attempts at discharging the individual. The individual in this case may remain in the facility until an appropriate placement becomes available.

Subsections (c), (d), (e), (f) and (g) have been relabeled as subsections (d), (e), (f), (g) and (h) respectively.

No other changes have been made in the text of the proposed amendments.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Amendments replace Emergency Amendments currently in effect? No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendments: Amendments were proposed concerning the Inspection of Care rules under Sections 144.5 through 144.250, which apply to residential facilities for persons with developmental disabilities (ICF/MR). These amendments add clarifications about the types of facilities (licensure groups) which are governed by these regulations, update cross references to other administrative rules which have been recodified, and bring these rules into agreement with a companion rule, Section 144.275, which addresses reimbursement in ICF/MR facilities. These latter changes are necessary because the IOC rules and the reimbursement rule all contain common information about Specialized Care - Health and Sensory Disabilities. The amendments also delete outdated information in Section 144.5 regarding the conversion of SNF/PED facilities to ICF/MR certification.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Joanne Jones
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 144

DEVELOPMENTAL DISABILITIES SERVICE

Section

144.1	Incorporation by Reference
144.5	Determination of Program (Active Treatment) Costs
144.25	Active Treatment Service Requirements in Residential Facilities for Individuals with Developmental Disabilities
144.50	Inspection of Care (IOC) Review Criteria for the Evaluation of Active Treatment Services in Residential Facilities for Individuals with Developmental Disabilities
144.75	Comprehensive Functional Assessments and Reassessments
144.100	Interdisciplinary Team (IDT)
144.105	Individual Program Plan (IPP)
144.125	Specialized Care - Behavior Development Programs
144.150	Specialized Care - Health and Sensory Disabilities
144.175	Functional Needs
144.200	Service Needs - Medical Care
144.205	Service Needs - Medical and Therapy Services
144.225	Individual Rights
144.230	Resident Funds
144.250	Discharge Planning/Maximum Growth Potential Plan
144.275	Reimbursement for Program (Active Treatment) Costs in Residential Facilities for Clients with Developmental Disabilities
144.300	Reimbursement for Program (Active Treatment) Costs in Small Scale Residential Facilities
144.325	Capital Rate Calculation
144.TABLE A	Overview of Staff Intensity Scale of Maladaptive Behaviors
144.TABLE B	Staff Intensity Scale
144.TABLE C	IPP Outcomes
144.TABLE D	Guidelines for Determining Levels of Functioning
144.TABLE E	Standardized Adaptive Functional Assessment

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6503-1 et seq.) [20 ILCS 2215/3-1 et seq.] and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., 7 and 12-13) [305 ILCS 5/3-1 et seq., 5/4-1 et seq., 5/5-1 et seq., 5/6-1 et seq., 5/7-1 et seq. and 5/12-13 et seq.].

SOURCE: Adopted at 14 Ill. Reg. 4166, effective March 9, 1990; Section 144.275 recodified from 89 Ill. Adm. Code 146.225 at 14 Ill. Reg. 7651; amended at 14 Ill. Reg. 17988, effective October 29, 1990; amended at 15 Ill. Reg.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

14084, effective September 24, 1991; emergency amendment at 15 Ill. Reg. 16148, effective October 22, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3497, effective February 28, 1992; amended at 16 Ill. Reg. 5898, effective March 20, 1992; amended at 17 Ill. Reg. 8478, effective June 1, 1993; amended at 17 Ill. Reg. 11480 effective July 16, 1993.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 144.5 Determination of Program (Active Treatment) Costs

- a) The Department reimburses residential facilities for program costs associated with the delivery of active treatment to individuals with developmental disabilities, according to information obtained during each facility's most recent Inspection of Care (IOC) Review conducted by Department staff. The categories of facilities which are affected by Sections 144.5 through 144.250 and 144.255 are:
 - intermediate-care facilities for individuals with developmental disabilities (ICF/DDP), long-term-care facilities for persons under 22 years of age (SNF/PED), specialized living centers (SLC), and intermediate-care facilities for individuals with developmental disabilities, of fifteen (15) beds or less (ICF/DD-15). Facilities affected by Sections 144.5 through 144.250 and 144.255 are those certified as Intermediate Care Facilities for the Mentally Retarded (ICF/MR) and licensed as:

- 1) intermediate care facilities for individuals with developmental disabilities (ICF/DD) (including specialized living centers (SLC));
 - 2) skilled nursing and intermediate care facilities for individuals with developmental disabilities who are under age 22 (SNF/PED); and
 - 3) intermediate care facilities for individuals with developmental disabilities of 16 beds or less (ICF/DD-16).
- b) IOC Review assessments of 100% of the Medicaid residents are conducted in these facilities every twelve (12) months. Program rate determination is based upon IOC Review criteria according to Sections 144.25 through 144.250 in conjunction with the reimbursement methodology found at 89 Ill. Adm. Code 146.225 Section 144.275.
- b)c) Reimbursable services under this Section do not include services to maintain generally independent individuals who are able to function with little supervision or in the absence of a continuous active treatment program.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.5(c) (continued)

AGENCY NOTE:--OBRA-87 requirements prohibit the admission of individuals with a primary diagnosis of mental retardation into non-ICF/DD, non-ICF/MR facilities. Therefore, SNF/PED facilities which meet ICF/DD, ICF/MR certification requirements will be certified ICF/DD, ICF/MR by December 31, 1989, in order to comply with federal law when admitting individuals with mental retardation. The certification classification, SNF/PED, will not be in use after December 31, 1989. Facilities which undergo certification conversion from SNF/PED to ICF/MR may retain State license for skilled care.

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Section 144.25 Active Treatment Service Requirements in Residential Facilities for Individuals with Developmental Disabilities

- a) Facilities for individuals with developmental disabilities (ICF/MR) must provide a continuous active treatment program for each individual, as required by federal regulation (42 CFR 483.440, 1989). This program is directed toward:
 - 1) the acquisition of behaviors and skills necessary to enable the individual to function with the greatest possible level of self determination and independence, physically, intellectually, socially, and vocationally, and
 - 2) the prevention or deceleration of regression or loss of current optimal functional status.
- b) The active treatment program for each individual is delivered through the implementation of an individualized program plan (IPP) consisting of interventions and services which are designed to meet the individual's needs with continuity across all of the environments in which the individual lives. The IPP is a comprehensive plan whose behavior and developmental skill interventions are consistently implemented throughout the day, regardless of the individual's whereabouts.
- c) The IPP is developed by an interdisciplinary team (IDT) (42 CFR 483.440, 1989, 89 Ill. Adm. Code 146.225(b)(2)(B) and Section 144.275(b)(2)(B)), that represents the professions, disciplines or service areas that are relevant to identifying and prioritizing the individual's needs, and designing programs to address the identified needs.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.25(c) (continued)

- 1) Each individual's active treatment program must be integrated, coordinated and monitored by a qualified mental retardation professional (QMRP) (42 CFR 483.430, 1989, 89-111-Adm-Cede 146,225(b)(2)(A)) and Section 144.275(b)(1)).
- 2) Each component of the individual's IPP, including developmental training conducted in the facility or off-site, must be coordinated with, correspond to and/or complement all other components (42-CFR-483.30(a)-1989).

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Section 144.50 Inspection of Care (IOC) Review Criteria for the Evaluation of Active Treatment Services in Residential Facilities for Individuals with Developmental Disabilities

- a) Medicaid facilities for individuals with developmental disabilities (ICF/MR) must address all needs of each individual through a continuous active treatment program. The interdisciplinary team (IDT) is a key component in a facility's ability to develop an appropriate program of active treatment for each individual in residence. The responsibility for the composition and quality of the IDT rests solely with the licensed provider. Further, a facility is fully responsible for ensuring the delivery to each individual of all criteria in Sections 144.75 thru through 144.250 which are deemed necessary by the IDT in the program of active treatment services for that individual.

- b) The Inspection of Care review criteria found in Sections 144.75 thru through 144.250 are used to assess facility performance in meeting the variable needs of individuals with developmental disabilities through individualized programs of active treatment. The criteria identified in this Section constitute the essential elements of active treatment.

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Section 144.75 Comprehensive Functional Assessments and Reassessments

- a) Comprehensive Functional Assessments

The interdisciplinary team (IDT) will identify the individual's needs by performing an accurate assessment as needed to supplement the preliminary evaluation conducted prior to admission to a residential facility (ICF/MR).

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.75(a) (continued)

- 1) No later than thirty (30) days after admission, or after application for request of Medicaid payment, a comprehensive functional assessment is administered by the IDT, or reports of a previous assessment are used if the assessment is current. The assessment must include:

- A) physical development and health;
- B) dental examination that includes an assessment of oral hygiene practices;
- C) nutritional status;
- D) sensorimotor development/auditory functioning;
- E) social development;
- F) speech and language development;
- G) adaptive behaviors or independent living skills necessary for the individual to be able to function in the community;
- H) vocational or educational skills (if applicable);
- I) cognitive development;
- J) medication and immunization history;
- K) psychological evaluation (within 5 years) that include an assessment of the individual's emotional and intellectual status;
- L) capabilities and preferences relative to recreation/leisure activities;
- M) other assessments indicated by the individual's needs, such as physical and occupational therapy assessments;
- N) seizure disorder history (if applicable) with information regarding frequency of occurrence and classification; and
- O) screenings (the facility performs or obtains) in the areas of nutrition, vision, auditory, and speech/language.

- 2) The assessment shall:

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

Section 144.75(a)(2) (continued)

Section 144.75(b) (continued)

- A) identify presenting problems, areas of need, and disabilities, and where possible, their causes. Comprehensive evaluations should be conducted concerning identified problems or areas of need;
- B) identify the overall level of functioning (mild, moderate, severe, profound) by use of a standardized, Department approved assessment instruments which evaluate intellectual functioning and adaptive behavior (89-III-Adm.-Code 146.225(b)(1)(A)-and-(B) Section 144.275(a)(1)(A)(i) and (iii);

- C) identify the individual's specific developmental strengths per required area assessed;

- D) identify the individual's specific developmental and behavioral management needs per area assessed;

- E) identify the individual's need for services and environmental modification without regard to the actual availability of the services needed or practicality of changing the current environment per area assessed; and

- F) identify the individual's need(s) (if any) for specialized services, including necessary adaptive equipment, specialized techniques and methodologies, monitoring systems, time frames and expected outcomes; and

- G) be conducted by a qualified professional who possesses the legal authorization to perform such assessments.

- 3) The IDT synthesizes the results of the assessment into an initial comprehensive evaluation of the developmental level and potential of the individual.

b) Comprehensive Functional Assessments - Reassessments

At least annually, the interdisciplinary team shall determine the need for reassessment of each individual. Identification must be made of the qualified professional(s) (42 CFR 483.430, 1989) performing such assessments/reassessments. Assessments are performed or obtained for the individual based on the determination of the interdisciplinary team, in the following areas:

- 1) physical examination and health assessment;

- 2) dental examination done at least annually;

- 3) other assessments needed and performed, as determined by the IDT, such as sensory motor (PT, OT); neurological, cardiac, psychiatric, etc.;

- 4) adaptive behavior or independent living skills;

- 5) developmental (including sensorimotor function), educational, or vocational evaluation;

- 6) other assessments needed and performed, as determined by the IDT;

- 7) medication and immunization history, updated; and

- 8) identification of overall level of functioning (mild, moderate, severe/profound) by use of a standardized, Department approved assessment instruments which evaluate intellectual functioning and adaptive behavior (see Section 144.75(a)(2)(B)).

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Section 144.125 Specialized Care - Behavior Development Programs

- a) Adaptive behaviors are actions and responses which are productive and appropriate. Maladaptive behaviors are actions and responses which are nonproductive and/or inappropriate. Although maladaptive behaviors are generally described as nonproductive and inappropriate, in some cases, an individual's inappropriate behavior may be productive, given the social or environmental context of a particular activity. Behavior development refers to both the reduction in maladaptive behaviors and the increase in adaptive behaviors. A behavior program instituted because of maladaptive behaviors must also include the development of adaptive behaviors. Additional reimbursement is paid for an individual who needs and receives specialized care for a behavioral disability (89-III-Adm.-Code 146.225(b)(3)(A) Section 144.275(c)(1)), when the individual's behavior development program meets the criteria in this Section, subsection (e)(1).

- b) A determination regarding an individual's behavior patterns is based upon direct and documented observations of his/her actions and responses. A behavior development program may be instituted following the assessment and recommendation of the IDT. The

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.125(b) (continued)

individual for whom the program is prepared must be assessed according to a standardized, Department approved assessment instrument (89-111-Adm.-Code-146.225(b)(1)(A) and (B) Section 144.275(a)(1)(A)(i) and (ii)), and diagnosed according to the Staff Intensity Scale For Maladaptive Behaviors, Illinois Department of Public Aid, Office of Health Finance (1985), see-Appendix-A (Section 144.Table B). Behavior development programs are structured programs developed by, or approved by a Psychologist QMRP. Staff involved in the delivery of the structured program must be trained in the delivery of behavioral programs. A behavior program is part of the individual's IPP, and therefore, must be reviewed by the IDT annually or more frequently as needed. A behavior development program must include the following:

- 1) specified maladaptive behavior(s) to be eliminated, if any;
- 2) specified adaptive behavior(s) to be developed;
- 3) specifications regarding all aspects of the program techniques;
- 4) a reinforcement plan, including schedule, frequency and type of reinforcement;
- 5) a data collection system that specifies the mechanisms for recording program delivery and includes the program's estimated intervention time (for delivery of reinforcers and staff/client interaction) in order to maintain quality control;
- 6) a planned orderly intervention procedure in the case of crisis intervention, which is designed to be the least restrictive given the target behavior and the individual's pattern of behavior. A crisis is an incident which requires physical intervention (and perhaps ultimately chemical intervention) to control behavior that jeopardizes the well being and safety of self or others, or is destructive of property;
- 7) when psychotropic medications are required with a behavior development program, the preceding steps outlined in subsections (b)(1)-(5) must be adhered to;
- 8) specified projective review date for the IDT to analyze progress; and
- 9) if and when aversive techniques are used, they must be approved by the Behavior Management or Human Rights Committee (see

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.125(b)(9) (continued)

subsection (e) with safeguards to protect individuals' rights and safety.

- c) An individual's IPP shall include behavioral techniques and methodologies which provide reinforcement for previously acquired adaptive skills.
- d) The facility must develop and implement written policies and procedures that govern the management of inappropriate behavior of individuals. Aversive techniques which are employed to modify an individual's inappropriate behavior must be an integral part of the IPP, and must be designed to lead to less restrictive means of managing and eliminating the inappropriate behavior. Incidents which require crisis intervention constitute exceptions to this last statement (see subsection (d)(2)). Facilities must comply with Medicaid Regulations when employing aversive techniques (42 CFR 483.450, 1989).

1) Time-out Rooms

The use of a time-out room, from which egress is prevented, is permitted only when the following conditions are met:

- A) the individual is under the continuous visual supervision of designated staff;
- B) the door to the time-out room is held shut by continuous staff engagement;
- C) placement in a time-out room may not exceed one hour;
- D) an individual in a time-out room must be protected from hazardous conditions; and
- E) a record of time-out activities is kept.

2) Physical Restraints

- A) Physical restraints may be used as an integral part of an individual's IPP, or as an emergency measure, but only if absolutely necessary:
 - i) to protect the client and/or others from injury; and
 - ii) as a health-related protection if prescribed by a physician.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.125(d)(2) (continued)

B) The following guidelines must be adhered to with respect to the usage of physical restraints:

- i) authorization to use or extend the use of restraints in an emergency must be in effect for no longer than 12 consecutive hours, and such authorization (physician order) must be obtained as soon as the client is stable;
- ii) the facility may not issue orders for restraints on a standing, or as needed, basis;
- iii) an individual placed in restraints must be checked by staff at least every 30 minutes. Further, the individual must be released from the restraints as soon as possible (the individual no longer poses a threat to self or others);
- iv) the individual in restraints must be afforded the opportunity for motion and exercise for a period of not less than 10 minutes during each two hour period of restraint usage;
- v) barred enclosures, if used as a restraint device, must not exceed three feet in height, and must remain open on top; and
- vi) a record of all activities relating to the use of physical restraints, including the individual's response to such usage, must be kept.

AGENCY NOTE: Facilities must comply with applicable regulations regarding restraint and seclusion as defined in Sections 1-125, 1-126, 2-108 and 2-109 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1991 1987, ch. 91 1/2, pars. 1-125, 1-126, 2-108 and 2-109) [405 ILCS 5/1-125, 1-126, 2-108 and 2-109].

3) Drug Usage (Chemical Restraints)

- A) When drug usage is a required component of a behavior program, steps 1-5 under subsection (b) Specialized Care-Behavior Development Programs, must be adhered to.
- B) Drugs as prescribed by a physician, can be used to control inappropriate behavior if:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.125(d)(3)(B) (continued)

- i) approved by the IDT as an integral part of the individual's IPP that is directed toward the reduction/ elimination of the behavior for which the drugs are employed;
- ii) the drug dosage does not interfere with the individual's daily living activities;
- iii) there is documentation to justify that the harmful effects of the inappropriate behavior clearly outweigh the potentially harmful effects of the drugs;
- iv) the individual receiving the drug(s) is closely monitored for desired responses and adverse effects by facility staff, and in conjunction with the prescribing physician and the drug regimen review requirement at 42 CFR 483.460(j), 1989; and
- v) a carefully monitored program of gradual withdrawal is imposed at least annually for each drug prescribed, in conjunction with the IDT, unless such withdrawal is contraindicated by clinical evidence.

e) Behavior Development Program Levels

- 1) Behavior development programs under Specialized Care are related to maladaptive behaviors which occur with high frequency and/or great severity. A behavior development program, including the use of psychotropics, which is developed for Specialized Care, must meet all federal and State requirements including, but not limited to, development by the IDT, review and approval by a Behavior Management Committee (or Human Rights Committee) as required by 42 CFR 483.440(f)(3), 1989 and approval by the individual or guardian, if the individual is not capable of providing informed consent. The behavior development program developed by the IDT must demonstrate the need for a use of a more intensive staffing pattern (direct care staff) than that pattern which is reimbursed for under 89-III--Adm--Code, Section 146.225(b)(1) 144.275(a)(1). Additional staff time provided under Specialized Care is a response to a necessary increase in staff intensity identified in the behavior development plan when other attempted interventions have failed, such as environmental changes or changes in the pattern of activities throughout the day. Specialized Care is not provided based solely on the frequency or severity of the individual's maladaptive behavior.

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

Section 144.125(e) (continued)

- 2) Behavior development program services under Specialized Care do not preclude the individual's participation in regular training services, activities and therapies as part of a comprehensive active treatment program.
- 3) The IDT provides highly specific guidelines for the individual's behavior development program relative to treatment methodology, services needed, and staff needed to deliver interventions. All behavior development programs must adhere to the program steps in this Section, subparagraph b).

A) Level I - Behavior development program services are delivered by staff specifically trained in the delivery of the prescribed interventions. Behaviors occur with high frequency but moderate severity, i.e., verbal abuse or more times per 4 hours which is hostile in tone or content including threats or screaming, or pica occurring once per 4 hours in volumes small enough to be non-life threatening. Examples of staffing pattern changes: The staffing pattern for persons with mild mental retardation increases from the regular pattern of 1:6.8 to 1:4.8, and for persons with severe-profound mental retardation from 1:4.8 to 1:3.7.

- B) Level II - Behavior development programs are delivered by staff trained in the delivery of each individual's intervention plan. Individuals receive personalized intervention, such as individual counseling or some one-to-one intervention. Behaviors occur with high frequency, and are aggressive or destructive, such as purposeful attacks of others resulting in minimal injuries one or more times per day. Examples of staffing pattern changes: The staffing pattern for persons with mild mental retardation increases from the regular pattern of 1:6.8 to 1:3.7, and for persons with severe-profound mental retardation from 1:4.8 to 1:3.
- C) Level III - Behavior development programs are delivered by staff who are specifically trained to deliver the interventions. Generally, staff may be assigned to accompany the individual throughout the shift. One-to-one intervention is common. Behaviors occur with very high frequency, such as hyperactivity one or more times per minute, or occur with high frequency and are aggressive, assaultive or destructive, such as pica (daily consumption

Section 144.125(e)(3)(C) (continued)

of life threatening materials), or daily physical assault resulting in injuries requiring medical attention. Examples of staffing pattern changes: The staffing pattern for persons with mild mental retardation increases from the regular pattern of 1:6.8 to 1:2.5, and for persons with severe-profound mental retardation from 1:4.8 to :2.

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Section 144.150 Specialized Care - Health and Sensory Disabilities

These specialized services refer to three categories (Levels) of care which some individuals must receive, fully or in part, in order to attain physical health and development. The delivery of specialized care in accordance with an individual's need(s), as determined by the IDT's assessment, enables him/her to participate in his/her IPP and be supported toward greater independence. Additional reimbursement is paid for an individual who needs and receives services for health and/or sensory disabilities (99-iii--Adm, Code-146-225(b)(3)(B) Section 144.275(c)(2)), when those services meet the criteria under this Section, subsections (b)-(e), and/or (c), (d) and/or (e) of this Section.

a) Overview

- 1) The individual program plan must describe relevant interventions to support the individual toward independence, as assessed and determined by the IDT.
- 2) Equipment which is needed by an individual, such as mechanical supports, appliances, and assistive sensory devices must be provided or obtained by the facility.
- 3) Equipment, devices and supports shall be used as needed to achieve proper body position, balance and alignment.
- 4) The individual program plan must specify the reason for each support, the situations in which it is to be used, and a schedule for use.
- 5) Individuals who are nonambulatory shall spend a major portion of each day out of bed and outside the bedroom area, moving about by various methods and devices whenever possible.

NOTICE OF ADOPTED AMENDMENTS

Section 144.150(a) (continued)

6) Training in personal skills must occur until it has been demonstrated that the individual is not developmentally capable of acquiring those skills.

7) The facility shall provide training to individuals to attend to their own health needs consistent with the needs and abilities of the individuals.

AGENCY NOTE: An individual who meets the criteria of more than one level in this Section will be assigned according to the disability or functional deficit which represents the greatest need for specialized care.

b) Definitions

1) Ambulatory - The individual is capable of walking without assistance or the aid of adaptive equipment or devices.

2) Mobile nonambulatory - The individual is capable of locomotion with mobility assistance such as adaptive equipment or devices.

3) Nonmobile - The individual is not capable of locomotion even with mobility assistance.

c) Specialized Care, Level I

The individual is ambulatory, or mobile ~~non-ambulatory~~ nonambulatory, or has the potential to become mobile nonambulatory, but and requires services to compensate for a sensory deficit (auditory and/or visual), or services enabling him/her to be mobile, or limited services to meet medical needs.

1) Sensory Deficits

A) Visual Disabilities

The individual requires and receives specialized services due to a visual disability as defined in the 89-III--Adm. Code-146.225(b)(3)(B)(i) Section 144.275(c)(2)(B)(i). Aids and appliances for individuals having such disabilities are limited to the following items with which facility staff can assist the individual.

- i) cane or dog used in mobility training or a sighted guide.

NOTICE OF ADOPTED AMENDMENTS

Section 144.150(c)(1)(A) (continued)

- ii) visual aids.

B) Auditory Disabilities

The individual requires and receives specialized care due to an auditory disability as defined in the 89-III--Adm. Code-146.225(b)(3)(B)(i) Section 144.275(c)(2)(B)(ii). Aids and appliances for individuals having such disabilities are limited to the following items with which facility staff can assist the individual:

- i) Aided augmentative communication system. Aided modes of communication may include the use of an eye gaze communication board, or an electronic communication device that has speech output or a print tape.
- ii) Assistive listening device (hearing aid) or
- iii) A hearing dog.

AGENCY NOTE: An individual's treatment might need to include being desensitized to tolerate the use of a hearing aid or assistive listening device to prevent the device from being rejected or destroyed.

2) Physical Disabilities

The individual requires and receives specialized care and training related to a physical disability which prevents or limits mobility. The individual becomes mobile when employing certain adaptive equipment. Aids, appliances and other adaptive equipment which promote mobility for individuals with physical disabilities are limited to the following devices which individuals can be taught to apply, or can be applied with assistance from facility staff.

- A) Arm brace.
- B) Back brace, body jacket.
- C) Leg brace.
- D) Prosthesis.
- E) Splints.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.150(c)(2) (continued)

- F) Adaptive wheelchair;
- G) Walker.

AGENCY NOTE: A physical disability is defined as a physical impairment which results in a functional deficit, such as spasticity, poor muscle tone, paralysis, and absence of limbs. Eligibility under Physical Disabilities requires that the individual needs training in the use of a device or devices in order to achieve some level of independent mobility. An individual who is already independent in mobility and requires adaptive equipment does not qualify. This includes some individuals who are in training programs for deficits in gross or fine motor functioning, and some individuals who are not in such training programs.

d) Specialized Care, Level II

The individual is nonmobile, or mobile nonambulatory, requires mobility assistance, and requires services to meet high personal care needs. The individual and may also have significant daily medical needs, and/or may have dual sensory deficits (visual and auditory).

1) High Personal Care/Mobility Need (non-mobile nonmobile)

The individual requires and receives partial or total assistance in bathing, clothing, grooming and hygiene, eating and toileting/continence. The individual requires and receives mobility assistance, due to a functional deficit (as determined by physical or psychological causes), to transfer from a bed to an alternative positioning device. He/she also requires and receives assistance with movement/mobility around the facility. The individual may require position changes at two hour intervals, or as specified in the individual program plan, and/or range of motion twice a day or as specified in the individual program plan.

2) Medical Need

- A) The individual requires and receives insulin injections daily or more frequently for the management of diabetes which is not stabilized. Daily monitoring by licensed personnel is required to assess the individual's status, side effects, laboratory work, and to report to the

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.150(d)(2) (continued)

physician as necessary. The requirement for monitoring pertains also to insulin which is administered on a sliding scale basis. This monitoring results in adjustments in dosage and/or type of insulin, as indicated by the individual's status.

- B) The individual needs and receives ostomy care for a jejunostomy, an ileostomy, or a colostomy.

3) Dual Sensory Deficits

The individual requires and receives services as required, due to both an auditory disability and a visual disability.

AGENCY NOTE: Level II services require that an individual meets the criteria in subsection (d)(1) above. The individual who also meets the criteria in subsection (d)(2) above is eligible for a higher nursing ratio according to 89-III--Adm--Code 146.235(b)(B)(i) Section 144.275(a)(2)(B).

e) Specialized Care, Level III

The individual is typically nonmobile or mobile nonambulatory, but may be ambulatory, and requires services to meet high medical needs. High medical needs means one or more of the following:

- 1) The individual requires and receives intermittent catheterization more than twice a day.
 - A) Daily recording of intake and output is required.
 - B) Infection control measures must be carried out as indicated in the facility's catheterization protocol.
- 2) The individual requires and receives respiratory care which can include tracheostomy care, positive pressure breathing treatments, aerosol therapy, postural drainage with percussion, vibration and/or suctioning.
 - A) The respiratory status of the individual receiving respiratory care must be frequently assessed as required by the IPP.
 - B) Infection control measures must be carried out as indicated in the facility's respiratory procedure protocol.

Section 144.150(e) (continued)

- 3) The individual requires and receives feeding via a nasogastric or gastrostomy tube, or, the individual has poor sucking and/or swallowing reflexes and requires and receives prolonged oral feeding of two or more hours daily.
- 4) The individual requires and receives wound care, having been admitted to the facility with a stage III or IV decubitus ulcer, or has deep wounds, infected wounds, extensive burns or extensive lesions requiring treatment in the form of medications, dressings, whirlpool, ultraviolet light and/or irrigations.
 - A) Decubitus ulcer management includes turning, positioning, nutritional support, range of motion exercises, supportive devices and infection control.
 - B) The facility protocol for decubitus ulcer prevention must be adhered to.
- 5) The individual requires and receives intensive physical habilitation due to a functional deficit (as determined by physical or psychological causes).
 - A) Intensive physical habilitation occurs throughout the individual's working hours to promote skill acquisition, or
 - B) The individual requires and receives intensive contracture prevention via "hands on" assistance.
 - C) When staff is meeting functional and service needs of an individual, that time should be used for priority objective/goal attainment. For example, when the individual has been repositioned, staff stimulation should occur, or the individual is ambulated with assistance to the bathroom or the dining room rather than taken in a wheelchair.

AGENCY NOTE: Range of motion to all extremities as indicated in the IPP should be incorporated into the individual's daily routine/programs (dressing, bathing, feeding, etc.).

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Section 144.175 Functional Needs

Functional needs are the basic needs of all persons. All functional needs of each individual residing in an ICF/MR must be addressed. The individual's IPP must provide a current assessment of his/her developmental level in each area of functional need. On the basis of the assessment outcome, the IPT determines if each area of an individual's functional needs can be addressed independently by the person, or is to be addressed as a service need or through a training program. The IPP specifies the individual's level of dependence/independence, types of assistance needed, and developmental skill interventions (programs) designed to increase functional independence. The IPP shall address skill maintenance if the individual demonstrates any skill regression or loss of functional status. The individual's preferences shall also be acknowledged (i.e., tub or shower bathing). Additional reimbursement is paid for an individual who needs and receives partial or total assistance in meeting functional needs (89-Ill.-Adm.-Code-146.225(b)(3) Section 144.275(c)(2)). This reimbursement is provided only when an individual meets the criteria for mobility assistance and/or high personal care under Specialized Care-Health and Sensory Disabilities (Section 144.150(b)-and-(c) and (d)). The functional needs of all individuals are:

- a) Bathing

Bathing means bathing all, or some part of the body, including the hair, whether the bath occurs in a tub, shower, or bed.
- b) Clothing

Clothing means total dressing and undressing, including stockings or socks and shoes.
- c) Eating

Eating means to consume or assimilate food or nutrients to fulfill nutritional needs. Eating includes both oral and tube feedings.
- d) Grooming/Personal Hygiene

Grooming/personal hygiene means bodily maintenance including combing hair, cleaning and clipping nails, shaving if applicable, tooth brushing and oral hygiene including denture care, daily deodorant use, hygiene associated with menstruation, makeup application when desirable and appropriate, hands and face washing.
- e) Toileting/Continence

Toileting means the appropriate use of a toilet, including related undressing/dressing activities, and necessary follow-up hygiene.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.175 (continued)

f) Mobility

Mobility means the power of locomotion and includes transfers/movements which are accomplished by independent ambulation and via the employment of assistive devices such as walkers, wheelchairs, braces, and prostheses.

g) Psychosocial Mental Status

Psychosocial mental status means the achievement of a sense of well-being and emotional balance in one's relationship with self, other persons, and one's daily environment.

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Section 144.205 Service Needs - Medical and Therapy Services

- a) Medical and therapy services refer to care which an individual must receive in order to attain his/her greatest level of physical/emotional health and development. This care must be provided in accordance with each individual's IPP. The person or staff level responsible for implementation of medical and therapy services is specified in the individual's IPP (Section 144.105(a)(3)). Additional reimbursement is paid for an individual who needs and receives some medical and therapy services (89-111, Adm-Cede-146-228(b)(3)B) Section 144.275(c)(3)), when the individual's need for such services is documented in the IPP. This reimbursement is provided only when an individual meets the criteria for services under Specialized Care-Health and Sensory Disabilities (Section 144.150(c), and (d) and (e)).

- b) Medical and therapy services which an individual may require and receive are:

1) Appliances

Appliances are devices applied to a part of the body for performing, or for facilitating the performance of, a particular function. Appliances are indicated per physician or dentist order. Facility staff will assist the individual with application and/or maintenance of an appliance, when appropriate.

A) Simple Appliances

- i) hearing device (one or two),

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.205(b)(1)(A) (continued)

- ii) elastic joint support,
- iii) ted or jobst hose (one or two),
- iv) neck brace,
- v) truss,
- vi) prescribed elastic bandage,
- vii) cervical collar,
- viii) arm brace,
- ix) head brace,
- x) sling,
- xi) artificial eye,
- xii) protective helmet,
- xiii) eye glasses,
- xiv) dentures,
- xv) augmentative communication system,
- xvi) wheelchair cuff, and
- xvii) Activities of Daily Living (ADL) adaptive equipment.

B) Complex Appliances

- i) back brace,
- ii) body jacket,
- iii) artificial limb,
- iv) individual customized wheelchair,
- v) ankle foot orthosis,
- vi) knee ankle foot orthosis,

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.205(b)(1)(B) (continued)

- vii) hip knee ankle foot orthosis,
- viii) miscellaneous lower extremity orthosis, and
- ix) adaptive splints.

2) Catheterization

The individual requires and receives catheterization services, as per physician order. Catheterization includes daily intermittent catheterization, and the care and irrigation of indwelling catheters, Texas catheters, and suprapubic catheters, as per physician order.

3) Decubitus Treatment and Prevention

- A) The individual requires and receives treatment for a decubitus ulcer, Stage I, II, III or IV, as per physician order.

- B) The individual has been assessed to determine his/her risk level for developing decubitus ulcers. A comprehensive preventative program is implemented when appropriate, as specified in the IPP, which may include (but is not limited to) such measures as special mattresses and/or cushions to reduce pressure, a positioning schedule, a range of motion program, nutritional support, and a skin care program (i.e., daily skin observation, whirlpool, etc.).

4) Injections

The individual requires and receives an injection, or injections, as per physician order.

5) Intravenous Therapy and Clysis

The individual requires and receives intravenous therapy, or clysis, as per physician order.

6) Laboratory Services

The individual requires laboratory services, as per physician order, and facility staff (or outside laboratory staff) have collected the indicated specimen(s). Laboratory specimens include blood specimens, urine specimens (routine urine collection, midstream "clean catch" or by catheter), sputum

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.205(b)(6) (continued)

specimens, stool specimens, throat or lesion swabs, and urine specimens for sugar and acetone. Telephonic pacemaker checks and electrocardiograms are also included under Laboratory Services.

7) Medications/Medication Monitoring

- A) The individual requires and receives medication(s) as per physician order, which can be administered by multiple routes and requires routine monitoring by licensed personnel and habilitation staff under licensed personnel supervision, to check for untoward reactions or side effects. Routine monitoring includes vital signs, urine testing for sugar and acetone, and general observation of the individual's status. Routine monitoring usually results in few or no changes in medication type, dosage of medication, or amount of assessment/monitoring needed.

- B) The individual requires and receives medication(s) as per physician order which can be administered by multiple routes and requires special monitoring by licensed staff to check for untoward reactions or side effects. Such monitoring of side effects, changes in the individual's status, lab work, or apparent drug interactions can result in changes of dosage or medication type, or in a continuing assessment of an unstable condition.

- C) The individual requires and receives a psychotropic medication (chemical restraints) for the reduction/elimination of inappropriate behavior, as per physician order and approval by the IDT. A program of medication reduction and withdrawal is established by the individual's physician, in conjunction with the IDT, and is incorporated into the IPP as described in Section 144.125(d)(3) Drug Usage (Chemical Restraints).

8) Occupational Therapy

Occupational therapy services are developed specifically for the individual to improve and/or maintain his/her functional ability, in conjunction with the IDT assessment (physician concurrence required). These services are designed to improve the individual's independent function, and prevent insofar as possible, irreducible or progressive disabilities. An

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.205(b)(8) (continued)

individualized plan of occupational therapy, or an occupational habilitation program, must include measurable goals and periodic documentation of progress toward those goals.

9) Ostomy Care

The individual requires and receives ostomy care, as per physician order. Included in this service category are gastrostomy, ileostomy, jejunostomy and colostomy.

A) Uncomplicated ostomy care is routine care and maintenance of the ostomy (i.e., cleansing and appliance change).

B) Complex ostomy care is special care that, given the individual's overall condition, must be provided by licensed personnel. Complex ostomy care is required for postoperative ostomies, Percutaneous Endoscopic Gastrostomy (PEG) tubes, and ostomies which have become excoriated or require application of a prescription medication.

10) Passive Range of Motion (PROM) Exercises

The individual requires and receives PROM exercises, as determined by the IDT, to at least one extremity on a daily basis.

11) Physical Therapy

Physical therapy services are developed specifically for the individual to improve and/or maintain his/her functional ability, in conjunction with the IDT assessment (physician concurrence required). These services are designed to improve the individual's independent function, and prevent insofar as possible, irreducible or progressive disabilities. An individualized plan of physical therapy, or a physical habilitation program, must include measurable goals and periodic documentation of progress toward those goals.

12) Positioning

The individual is physically dependent, and requires and receives frequent repositioning, as specified by the IDT, for the maintenance of proper body alignment, the functional positioning of the limbs, and to reduce the likelihood of contracture and/or deformity. A specific plan for positioning

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.205(b)(12) (continued)

should be reflected in the individual's IPP, and such positioning should be addressed at the specified intervals regardless of the individual's whereabouts or means of physical support (i.e., bed, specially adapted wheelchair, etc.).

13) Respiratory Therapy

The individual requires and receives respiratory therapy services, as per physician order. Respiratory therapy services include oxygen, positive pressure breathing therapy, humidity therapy, or aerosol therapy. Respiratory therapy services may be provided on an intermittent or continuous basis.

14) Skin Care

The individual requires and receives skin care as indicated in his/her IPP. Skin care services include the application of nonmedicated lotions and ointments used to treat minor skin irritation, simple dermatitis or dry skin.

15) Speech Language Pathology/Audiology (SLP/A) Services

The individual requires SLP/A services as indicated by screening tests and complete audiological and/or speech language diagnostic evaluation(s). The individual receives SLP/A services according to an individualized plan which includes measurable goals. These services are designed to improve the individual's functional means of communication and abilities for independence, and prevent insofar as possible, irreducible or progressive disabilities.

16) Suctioning/Bronchio Hygiene

The individual requires and receives suctioning or bronchio hygiene services as per physician order. Suctioning services include the aspiration of secretions from the oral/nasal passages by bulb syringe; mechanical suctioning of oral, nasal or tracheal secretions by licensed staff; and the application of postural drainage, percussion and vibration (bronchio-hygiene).

17) Tracheostomy Care

The individual requires and receives care of the tracheostomy site, as per physician order. Tracheostomy care must be performed by licensed staff.

Simple tracheostomy care means routine cleansing and nonsterile dressing change.

Complex tracheostomy care means sterile and/or complicated dressing changes, suctioning or changing of the tracheostomy tube, and monitoring of an unstable respiratory status.

Wound Care

The individual requires and receives wound care, as per physician order. Wound care includes dressings and/or skin treatments for noninfected areas; and complex dressings (i.e., sterile or post-op) and/or treatment to infected areas/lesions.

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Discharge Planning/Maximum Growth Potential Plan

Standards set forth in Medicaid Regulations (42 CFR 435.1009, 1989) require that the need for services of a facility (ICF/MR) for a person with developmental disabilities must be established through an assessment which demonstrates that the individual:

Requires the 24 hour a day supervision which such a facility provides, and

Has substantial functional limitation in three or more of the following areas of major life activity, as defined in 89 Ill. Adm. Code 140.642, Long-Term-Care-Screening-Assessment (g) and 140.Table H:

self care;

understanding and use of Language;

learning;

mobility;

self-direction; and

capacity for independent living.

Simple tracheostomy care means routine cleansing and nonsterile dressing change.

Complex tracheostomy care means sterile and/or complicated dressing changes, suctioning or changing of the tracheostomy tube, and monitoring of an unstable respiratory status.

Wound Care

The individual requires and receives wound care, as per physician order. Wound care includes dressings and/or skin treatments for noninfected areas; and complex dressings (i.e., sterile or post-op) and/or treatment to infected areas/lesions.

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Discharge Planning/Maximum Growth Potential Plan

Standards set forth in Medicaid Regulations (42 CFR 435.1009, 1989) require that the need for services of a facility (ICF/MR) for a person with developmental disabilities must be established through an assessment which demonstrates that the individual:

Requires the 24 hour a day supervision which such a facility provides, and

Has substantial functional limitation in three or more of the following areas of major life activity, as defined in 89 Ill. Adm. Code 140.642, Long-Term-Care-Screening-Assessment (g) and 140.Table H:

self care;

understanding and use of Language;

learning;

mobility;

self-direction; and

capacity for independent living.

Simple tracheostomy care means routine cleansing and nonsterile dressing change.

Complex tracheostomy care means sterile and/or complicated dressing changes, suctioning or changing of the tracheostomy tube, and monitoring of an unstable respiratory status.

Wound Care

The individual requires and receives wound care, as per physician order. Wound care includes dressings and/or skin treatments for noninfected areas; and complex dressings (i.e., sterile or post-op) and/or treatment to infected areas/lesions.

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Discharge Planning/Maximum Growth Potential Plan

Standards set forth in Medicaid Regulations (42 CFR 435.1009, 1989) require that the need for services of a facility (ICF/MR) for a person with developmental disabilities must be established through an assessment which demonstrates that the individual:

Requires the 24 hour a day supervision which such a facility provides, and

Has substantial functional limitation in three or more of the following areas of major life activity, as defined in 89 Ill. Adm. Code 140.642, Long-Term-Care-Screening-Assessment (g) and 140.Table H:

self care;

understanding and use of Language;

learning;

mobility;

self-direction; and

capacity for independent living.

Simple tracheostomy care means routine cleansing and nonsterile dressing change.

Complex tracheostomy care means sterile and/or complicated dressing changes, suctioning or changing of the tracheostomy tube, and monitoring of an unstable respiratory status.

Wound Care

The individual requires and receives wound care, as per physician order. Wound care includes dressings and/or skin treatments for noninfected areas; and complex dressings (i.e., sterile or post-op) and/or treatment to infected areas/lesions.

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Discharge Planning/Maximum Growth Potential Plan

Standards set forth in Medicaid Regulations (42 CFR 435.1009, 1989) require that the need for services of a facility (ICF/MR) for a person with developmental disabilities must be established through an assessment which demonstrates that the individual:

Requires the 24 hour a day supervision which such a facility provides, and

Has substantial functional limitation in three or more of the following areas of major life activity, as defined in 89 Ill. Adm. Code 140.642, Long-Term-Care-Screening-Assessment (g) and 140.Table H:

self care;

understanding and use of Language;

learning;

mobility;

self-direction; and

capacity for independent living.

Simple tracheostomy care means routine cleansing and nonsterile dressing change.

Complex tracheostomy care means sterile and/or complicated dressing changes, suctioning or changing of the tracheostomy tube, and monitoring of an unstable respiratory status.

Wound Care

The individual requires and receives wound care, as per physician order. Wound care includes dressings and/or skin treatments for noninfected areas; and complex dressings (i.e., sterile or post-op) and/or treatment to infected areas/lesions.

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Discharge Planning/Maximum Growth Potential Plan

Standards set forth in Medicaid Regulations (42 CFR 435.1009, 1989) require that the need for services of a facility (ICF/MR) for a person with developmental disabilities must be established through an assessment which demonstrates that the individual:

Requires the 24 hour a day supervision which such a facility provides, and

Has substantial functional limitation in three or more of the following areas of major life activity, as defined in 89 Ill. Adm. Code 140.642, Long-Term-Care-Screening-Assessment (g) and 140.Table H:

self care;

understanding and use of Language;

learning;

mobility;

self-direction; and

capacity for independent living.

Simple tracheostomy care means routine cleansing and nonsterile dressing change.

Complex tracheostomy care means sterile and/or complicated dressing changes, suctioning or changing of the tracheostomy tube, and monitoring of an unstable respiratory status.

Wound Care

The individual requires and receives wound care, as per physician order. Wound care includes dressings and/or skin treatments for noninfected areas; and complex dressings (i.e., sterile or post-op) and/or treatment to infected areas/lesions.

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

Discharge Planning/Maximum Growth Potential Plan

Standards set forth in Medicaid Regulations (42 CFR 435.1009, 1989) require that the need for services of a facility (ICF/MR) for a person with developmental disabilities must be established through an assessment which demonstrates that the individual:

Requires the 24 hour a day supervision which such a facility provides, and

Has substantial functional limitation in three or more of the following areas of major life activity, as defined in 89 Ill. Adm. Code 140.642, Long-Term-Care-Screening-Assessment (g) and 140.Table H:

self care;

understanding and use of Language;

learning;

mobility;

self-direction; and

capacity for independent living.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Riverboat Gambling

2) Code Citation: 86 Ill. Adm. Code 3000

3) Section Numbers: Adopted Action:

3000.100	Amended Section
3000.101	New Section
3000.110	Amended Section
3000.115	Amended Section
3000.140	Amended Section
3000.141	New Section
3000.160	Amended Section
3000.165	Amended Section
3000.200	Amended Section
3000.210	Amended Section
3000.220	Amended Section
3000.230	Amended Section
3000.231	New Section
3000.235	Amended Section
3000.240	Amended Section
3000.245	Amended Section
3000.250	Amended Section
3000.281	Amended Section
3000.282	Amended Section
3000.300	Amended Section
3000.320	Amended Section
3000.400	Amended Section
3000.405	Amended Section
3000.410	Amended Section
3000.415	Amended Section
3000.425	Amended Section
3000.430	Amended Section
3000.431	New Section
3000.435	Amended Section
3000.440	Amended Section
3000.445	New Section
3000.600	Amended Section
3000.620	Amended Section
3000.635	Amended Section
3000.730	Amended Section
3000.800	Amended Section
3000.850	Amended Section
3000.1000	Amended Section
3000.1010	Amended Section
3000.1020	Amended Section
3000.1030	Amended Section
3000.1040	Amended Section
3000.1050	Amended Section
3000.1070	Amended Section

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 144.250 (continued)

e)f) Prior to the individual's discharge, the facility must discuss the upcoming change with the individual and his/her family, guardian or advocate. The facility should also inform them of community services which will be available to the individual in his/her new environment after discharge.

f)g) In conformance with high standards relative to facility practices, the individual's discharge plan should include a plan for an ongoing follow-along process for at least three months after discharge to insure that the new living environment is responsive to the individual's needs. However, the Department's IOC Program does not provide for review of this component of discharge planning.

g)h) At the time of discharge, the facility must:

- 1) prepare a discharge summary of the individual's developmental, behavioral, social, health, and nutritional status, as well as recommendations for future programming and follow-up services; and
- 2) provide a post-discharge plan of care to the individual's new living environment, to assist him/her to adjust successfully to that environment.

(Source: Amended at 17 Ill. Reg. 11480, effective July 16, 1993)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

3000.1071
 3000.1072
 3000.1100
 3000.1105
 3000.1110
 3000.1115
 3000.1120
 3000.1125
 3000.1126
 3000.1130
 3000.1135
 3000.1140
 3000.1145
 3000.1146
 3000.1150
 3000.1155

Amended Section
 Amended Section
 New Section
 New Section
 New Section
 New Section
 New Section
 New Section
 New Section
 New Section
 New Section
 New Section
 New Section
 New Section
 New Section

- 4) Statutory Authority: Riverboat Gambling Act, Ill. Rev. Stat. 1991, ch. 120, para. 2401 et. seq., [230 ILCS 10], P.A. 86-1029, effective February 7, 1990, amended by P.A. 87-826, effective December 16, 1991.

- 5) Effective Date of Rules: July 9, 1993

- 6) Does this rulemaking contain an automatic repealer date? No

- 7) Do these rules contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: December 7, 1992

- 9) Notice of Proposal Published in Register:

December 18, 1992, 16 Ill. Reg. 51.
 (issue date)

- 10) Has JCAR issued a Statement of Objections to these rules? No

- 11) Differences Between proposal and final version:

In Section 3000.200(b)(1) changed language to clarify that only employees of a Gaming Operations Manager who directly or indirectly have a function relating to the Gaming Operation will need to have an Occupational license.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

In Section 3000.230(d) added, "... an applicant who has been found preliminarily suitable..." to those who must inform the Board of changes in their application.

In Section 3000.235 when references made as to who is covered by this Section, added language, "entity with a finding of preliminary suitability" for clarity.

In Section 3000.235(a) deleted language, "Owner's Licenses are not transferrable," because conflicted with what the Section actually provided. Also deleted language in Subsection (b), "Ownership Interests may not be Pledged," because conflicted with what the Section actually provided.

In Section 3000.235(c)(3) changed language to clarify what the procedure is when an investor in a publicly traded entity is denied a license.

In Section 3000.405(d) added language to detail the procedure when a Petitioner does not prosecute his case.

In Section 3000.405(e) omitted the following: "The Board may limit the number of contested issues relating to a petitioner's suitability by specifically responding to a petitioner's request for a hearing with a statement of contested issues. Such a statement will then establish the scope of relevance in the ensuing hearing."

In Section 3000.415(c) added language, "at hearing" for clarification.

In Section 3000.430 added language to clarify what records and information are admissible into evidence in an administrative hearing.

In Section 3000.1071 added language to clarify when deposits must be made.

In various Sections "Owner's License" changed to "Owner's license."

Numerous technical changes made to add clarity. There are also various changes in syntax.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these rules replace emergency rules currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules:
This rulemaking provides for amendments and additions to certain Gaming Board Rules. These proposed changes seek to clarify portions of the adopted rules and Subpart K details the disciplinary procedures the Board will follow.
- 16) Information and questions regarding these rules shall be directed to:
Donna B. More
Chief Legal Counsel
Illinois Gaming Board
160 N. LaSalle Street, Suite 300-S
Chicago, Illinois 60601

The full text of the Adopted Rules begins on the next page:

ILLINOIS REGISTER

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 86: REVENUE

CHAPTER IV: ILLINOIS GAMING BOARD

PART 3000

RIVERBOAT GAMBLING

SUBPART A: GENERAL PROVISIONS

Section

3000.100 Definitions
3000.101 Invalidity
3000.110 Disciplinary Actions
3000.115 Records Retention
3000.120 Place to Submit Materials
3000.130 No Opinion or Approval of the Board
3000.140 Applicant's Duty to Disclose Changes in Information
3000.141 Applicant/Licenses Disclosure of Agents
3000.150 Owner's and Supplier's Duty to Investigate Job Applicants
3000.155 Investigatory Proceedings
3000.160 Owner's and Supplier's Duty to Report Misconduct
3000.161 Communication with Other Agencies
3000.165 Participation in Games by Owners, Directors, Officers, Key Persons or Gaming Employees
3000.170 Fair Market Value of Contracts
3000.180 Weapons on Riverboat

SUBPART B: LICENSES

Section

3000.200 Classification of Licenses
3000.210 Fees and Bonds
3000.220 Applications
3000.230 Owner's Licenses
3000.231 Distributions
3000.235 Transferability of Ownership
3000.240 Supplier's Licenses
3000.245 Occupational Licenses
3000.250 Transferability of Licenses
3000.260 Waiver of Requirements
3000.270 Certification and Registration of Electronic Gaming Devices
3000.280 Application for Registration for all Gaming Devices
3000.281 Transfer of License-Expiration Registration
3000.282 Seizure of Gaming Devices
3000.283 Analysis of Questioned Electronic Gaming Devices

SUBPART C: OWNER'S INTERNAL CONTROL SYSTEM

Section

3000.300 Objectives of Internal Control System

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

3000.310 Administrator Approval
 3000.320 Requirements
 3000.330 Review of Procedures
 3000.340 Operating Procedures
 3000.350 Modifications

SUBPART D: HEARINGS ON NOTICE OF DENIAL OR PLACEMENT ON EXCLUSION LIST

Section
 3000.400 Coverage of Subpart
 3000.405 Requests for Hearings
 3000.410 Appearances
 3000.415 Discovery
 3000.420 Motions for Summary Judgment
 3000.425 Proceedings
 3000.430 Evidence
 3000.431 Prohibition on Ex Parte Communication
 3000.435 Sanctions and Penalties
 3000.440 Transmittal of Record and Recommendation to the Board
 3000.445 Status of Applicant for Licensure or Transfer Upon Filing Request for Hearing

SUBPART E: EXCURSIONS

Section
 3000.500 Time of Excursion
 3000.510 Excursions During Inclement Weather or Mechanical Difficulties

SUBPART F: CONDUCT OF GAMING

Section
 3000.600 Wagering Only with Approved Chips, Tokens and Electronic Cards
 3000.605 Authorized Games
 3000.610 Publication of Rules and Payout Ratio for Live Gaming Devices
 3000.615 Payout Percentage for Electronic Gaming Devices
 3000.616 Cashing-In
 3000.620 Submission of Chips for Review and Approval
 3000.625 Chip Specifications
 3000.630 Primary, Secondary and Reserve Sets of Gaming Chips
 3000.635 Issuance and Use of Tokens for Gaming in Electronic Gaming Devices
 3000.640 Exchange of Chips and Tokens
 3000.645 Receipt of Gaming Chips or Tokens from Manufacturer or Distributor
 3000.650 Inventory of Chips
 3000.655 Destruction of Chips and Tokens
 3000.660 Minimum Standards for Electronic Gaming Devices
 3000.665 Integrity of Electronic Gaming Devices
 3000.670 Computer Monitoring Requirements of Electronic Gaming Devices

SUBPART G: EXCLUSION OF PERSONS

Section
 3000.700 Duty to Exclude
 3000.710 Distribution and Availability of Exclusion Lists
 3000.720 Criteria for Exclusion or Ejection and Placement on an Exclusion List

3000.730 Procedure for Entry of Names
 3000.740 Petition for Removal from Exclusion List

SUBPART H: SURVEILLANCE AND SECURITY

Section
 3000.800 Required Surveillance Equipment
 3000.810 Security and Board Surveillance Rooms Requirements
 3000.820 Segregated Telephone Communication
 3000.830 Security Logs
 3000.840 Storage and Retrieval
 3000.850 Dock Site Board Facility
 3000.860 Maintenance and Testing

SUBPART I: LIQUOR LICENSES

Section
 3000.900 Liquor Control Commissioner
 3000.910 Liquor Licenses
 3000.920 Disciplinary Action
 3000.930 Hours of Sale

SUBPART J: ACCOUNTING RECORDS AND PROCEDURES

Section
 3000.1000 Ownership Records
 3000.1010 Accounting Records
 3000.1020 Standard Financial and Statistical Records
 3000.1030 Annual Audits and Other Reporting Requirements
 3000.1040 Accounting Controls Within the Cashier's Cage
 3000.1050 Procedures for Exchange of Checks Submitted by Gaming Patrons and Granting Credit
 3000.1060 Handling of Cash at Gaming Tables
 3000.1070 Tips or Gratuities
 3000.1071 Deposits of Admission Tax and Wagering Tax
 3000.1072 Cash Reserve Requirements

SUBPART K: SEIZURE AND DISCIPLINARY HEARINGS

Section
 3000.1100 Coverage of Subpart
 3000.1105 Duty to Maintain Suitability
 3000.1110 Board Action Against Licensee or Licensee Complaint
 3000.1115

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

Duty to Exclude
 Distribution and Availability of Exclusion Lists
 Criteria for Exclusion or Ejection and Placement on an Exclusion List

Procedure for Entry of Names
 Petition for Removal from Exclusion List

SUBPART H: SURVEILLANCE AND SECURITY

Required Surveillance Equipment
 Security and Board Surveillance Rooms Requirements
 Segregated Telephone Communication
 Security Logs
 Storage and Retrieval
 Dock Site Board Facility
 Maintenance and Testing

SUBPART I: LIQUOR LICENSES

Liquor Control Commissioner
 Liquor Licenses
 Disciplinary Action
 Hours of Sale

SUBPART J: ACCOUNTING RECORDS AND PROCEDURES

Ownership Records
 Accounting Records
 Standard Financial and Statistical Records
 Annual Audits and Other Reporting Requirements
 Accounting Controls Within the Cashier's Cage
 Procedures for Exchange of Checks Submitted by Gaming Patrons and Granting Credit
 Handling of Cash at Gaming Tables
 Tips or Gratuities
 Deposits of Admission Tax and Wagering Tax
 Cash Reserve Requirements

SUBPART K: SEIZURE AND DISCIPLINARY HEARINGS

Coverage of Subpart
 Duty to Maintain Suitability
 Board Action Against Licensee or Licensee Complaint

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

3000.1120
3000.1125
3000.1126
3000.1130
3000.1135
3000.1140
3000.1145
3000.1146
3000.1150
3000.1155

Appearances
Answer
Appointment of Hearing Officer
Discovery
Motions for Summary Disposition
Proceedings
Evidence
Prohibition of Ex Parte Communication
Sanctions and Penalties
Transmittal of Record and Recommendation to the Board

AUTHORITY: Implementing and authorized by the Riverboat Gambling Act (Ill. Rev. Stat. 1991, ch. 120, pars. 2401 et seq.) [230 ILCS 10].

SOURCE: Emergency rule adopted at 15 Ill. Reg. 11252, effective August 5, 1991, for a maximum of 150 days; adopted at 15 Ill. Reg. 18263, effective December 10, 1991; amended at 16 Ill. Reg. 13310, effective August 17, 1992; amended at 17 Ill. Reg. 11510, effective July 9, 1993.

SUBPART A: GENERAL PROVISIONS

Section 3000.100 Definitions

For purposes of these Rules the following terms shall have the following meanings:

"Act": The Riverboat Gambling Act. (Ill. Rev. Stat. 1991, ch. 120, pars. 24017 et seq.) [230 ILCS 10].

"Alcoholic Liquors": Includes alcohol, spirits, wine and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by a human being.

"Attributed Interest": A direct or indirect interest in a business entity deemed to be held by a person not through the person's actual holdings but either through the holdings of the person's relatives or through a third party or parties on behalf of the person pursuant to a plan, arrangement or agreement.

"Baccarat": A card game played with a deck or multiple decks of cards dealt from a shoe. The highest game count possible is nine (9). The hand with the highest point count wins.

"Big Six": A wheel game (vertical) in which a player bets on the outcome of the wheel spin.

"Bill Changer": Any mechanical, electrical, or other device, contrivance or machine designed for the purpose of dispensing an

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

amount of tokens or credits equal to the amount of currency inserted into the bill changer system.

"Blackjack": See "Twenty-one".

"Board": The Illinois Gaming Board.

"Board Surveillance Room": A room or rooms on each Riverboat for the exclusive use of the Board for monitoring and recording of Gaming and other activities.

"Chip": A non-metal or partly metal representative of value, redeemable for cash, and issued and sold by a holder of an Owner's license for use in Gaming other than in Electronic Gaming Devices on such holder's Riverboat or Riverboats.

"Craps": A Game in which dice are rolled to make different points or combinations.

"Dependent": Any individuals who received over half of his support in a calendar year from any other individual.

"Electronic Card": A card used for cash or cash equivalent.

"Electronic Gaming Device": Any mechanical, electrical device or machine which upon payment of consideration is available to play or operate, operation of which, whether by reason of the skill of the operator, or application of the element of chance, or both, may deliver or entitle the person playing or operating the machine to receive premiums, merchandise, Tokens, redeemable Game credits or anything of value other than unredeemable free Games whether the payoff is made automatically from the machines or in any other manner.

"Electronic Gaming Device Drop": The total value of Tokens contained in the drop bucket.

"Electronic Gaming Device Win": The Electronic Gaming Device Drop minus hand-paid jackpots minus hopper fills plus hopper credits.

"EPROM": Erasable, Programmable, Read Only Memory.

"Excluded person": Any person whose name appears on any Exclusion List, or any person whose name does not appear on an Exclusion List but who is excluded or ejected pursuant to Section 5(c)(12) of the Act or as a result of meeting one or more of the criteria in Section 3000.720 of these rules.

"Exclusion List": A list or lists which contain identities of persons who are to be excluded or ejected from any licensed Gaming operation

NOTICE OF ADOPTED AMENDMENT(S)

in any jurisdiction. The list may include any person whose reputation or conduct is such that his presence within a Riverboat Gaming Operation may, in the opinion of the Board or the Administrator, call into question the honesty or integrity of the gambling operation or pose a threat to the interests of the State of Illinois.

"Paro": A card Game played with a single fifty-two (52) card deck dealt by drawing cards face up from an open framed box.

"Game": A banking, wagering, gambling or percentage game or activity which is played for money, property, or anything of value, including without limitation those played with cards, Chips, Tokens, dice, implements, or electronic, electrical, or mechanical devices or machines.

"Gaming": The dealing, operating, carrying on, conducting, maintaining or exposing for play of any Game.

"Gaming Equipment/Supplies": A machine, mechanism, device, or implement which affects the result of a Game by determining win or loss, including without limitation electronic, electrical, or mechanical devices or machines, software, cards, or dice, and any representative of value used with any Game, including without limitation Chips, Tokens, or electronic debit cards and related hardware and software.

"Gaming Operations Manager": A person or business entity other than the holder of an Owner's **license** who has the ultimate responsibility to manage, direct or administer the conducting of Gaming.

"Give-Away": A game where patron entry to the game may be determined by attendance on a riverboat or by either accumulation of points/credits, or the attainment of a certain outcome on an Electronic Gaming Device.

"Hand": Either one Game in a series, one deal in a card Game, or the cards held by a player.

"Indirect Interest": An interest in a business entity that is deemed to be held by the holder of an Owner's **license** not through the holder's actual holdings in the business entity but through the holder's holdings in other business entities.

"Internal Control System": Internal procedures and administration and accounting controls designed by the holder of an Owner's **license** for the purpose of exercising control over the Riverboat Gaming Operation.

NOTICE OF ADOPTED AMENDMENT(S)

"Junketeer": A person or entity who is compensated depending on how much a patron either wagers or loses or a determination by the holder of the Owner's license or Gaming Operation Manager as to the potential amount a patron will wager or loss.

"Keno": A Game in which a player selects anywhere from one (1) to twenty (20) numbers between one (1) and eighty (80). A winner is determined by an automatic device which randomly chooses twenty (20) numbers.

"Key Person": An officer, director, trustee, partner, proprietor, or managing agent of, or a holder of any direct or Indirect legal or beneficial interest whose combined direct, Indirect or Attributed interest is 5% or more in, a business entity.

"Klondike": A solitaire card Game played with a single fifty-two (52) card deck.

"Live Gaming Device": Any non-electrical or nonelectro-mechanical apparatus used to gamble upon, including but not limited to Roulette wheel and table, Blackjack table, Crap table and Poker tables.

"Multiple Action Blackjack": A multi-hand (maximum 3) variation of the card game Blackjack. The dealer uses a common up-card and players play two to three hands as in a normal Blackjack game.

"Non-Value Chip": A Chip, clearly and permanently impressed, engraved or imprinted with the name of the Riverboat, but bearing no value designation.

"Notice of Board Action": A Notice of Denial, Restriction, Suspension, Revocation, Nonrenewal, or Exclusion issued by the Board.

"Pai Gow Poker": A card game using a standard fifty-two card deck and one Joker. The player has a five card high hand and a two card low hand. The two hands of the player are compared to the two hands of the dealer.

"Payout": Winnings earned on a wager.

"Petitioner": An applicant, licensee, or Excluded person who requests a hearing upon issuance of a Notice of Board Action.

"Poker": A card Game played by a maximum of ten (10) players who are dealt cards by a nonplayer dealer. The object of the Game is for each player to bet the superiority of his own hand and win the other players' bets by either making a bet no other player is willing to match or proving to hold the most valuable cards after all the betting is over.

NOTICE OF ADOPTED AMENDMENT(S)

"Progressive Controller": The hardware and software that controls all communications among the machines within a progressive Electronic Gaming Device link and its associated progressive meter.

"Progressive Jackpot": A value determined by a holder of an Owner's briense license and arrived at by income of independent, local or interlinked Electronic Gaming Devices. This value shall be clearly displayed above the Interlinked Electronic Gaming Device, and metered incrementally by a Progressive Controller. A progressive machine must prominently display a manufacturer-supplied glass indicating either that a Progressive Jackpot is to be paid or indicating the current amount of the jackpot.

"Punchboard": A Game in which a player selects a slip of paper or paper banded ticket which contains hidden from view a symbol, set of symbols or number(s) that have been designated in advance as winners. This Game can otherwise be identified as Pulltab, Jar Ticket, Push Card or Number Ticket.

"Red Dog": A card game played with a standard fifty-two card deck with each suit valued in a descending order, A, K, Q, J, 10, 9, 8, 7, 6, 5, 4, 3, 2. Bets are wagered on a layout in the appropriate corresponding areas. This game is often called Acey-Deucey or In-Between.

"Relative": Spouse, parents, grandparents, children, siblings, uncles, aunts, nephews, nieces, fathers-in-law, mothers-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law, whether by the whole or half blood, by marriage, adoption or natural relationship, and Dependents.

"Riverboat Gaming Operation": The conducting of Gaming and all related activities, including without limitation the purveying of food, beverages, retail goods and services, and transportation, on a Riverboat and at its Support Facilities.

"Roulette": A Game played on a horizontal rotating wheel in which players can bet on which compartment a non-metallic ball may come to rest.

"Security Room": A room or rooms on each Riverboat for monitoring and recording of Gaming and other activities by employees of the Riverboat Gaming Operation.

"Sic Bo: A dice game played with three dice contained in a sealed shaker. Bets are wagered on a layout showing all possible winning combinations.

"Signature": The definitive identity of an individual specific EPROM

NOTICE OF ADOPTED AMENDMENT(S)

Chip, determined by electronic analysis and reflective of the EPROM Chip's game behavior capability.

"Slot Machine": A type of Electronic Gaming Device.

"Sole Proprietor": A person who in his or her own name owns 100% of the assets and who is solely liable for the debts of a business.

"Supplier": Either a Gaming Operations Manager or a provider of Gaming Equipment, Gaming Equipment maintenance or repair services, security services or lessor of a Riverboat or dock facilities or a provider of any goods or services where payment is calculated by a percentage of a Riverboat Gaming Operation's revenues.

"Support Facility": A place of business which is part of, or operates in connection with, a Riverboat Gaming Operation and is owned in whole or in part by a holder of an Owner's or Supplier's license or any of their Key Persons, including without limitation Riverboats, offices, docking facilities, parking facilities, and land-based hotels or restaurants.

"Table Drop": The total amount of cash or cash equivalents contained in the drop box for Chips purchased at a Live Gaming Device.

"Table Win": The dollar amount won by the holder of an Owner's briense license through play at a live Game which is the total of the Table Drop plus ending Chip inventory plus credits minus opening Chip inventory minus fills.

"Theoretical Payout Percentage": The sum of the number of Tokens expected to be paid as a result of Jackpots divided by the number of different possible outcomes.

"Token": A metal representative of value, redeemable for cash only at the issuing Riverboat Gaming Operation, and issued and sold by a holder of an Owner's briense license for use in Electronic Gaming Devices.

"Twenty-One": Twenty-one (blackjack) is a card Game played with a single deck or multiple decks of cards dealt from a shoe. The player attempts to beat the dealer by obtaining a total equal to or less than twenty-one (21) so that his total is higher than the dealer's.

"Value Chip": A Chip, clearly and permanently impressed, engraved or imprinted with the name of the Riverboat and the specific value of the Chip.

"Wager": A sum of money or thing of value risked.

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.101 Invalidity

If any part of these Rules shall be held by a court of competent jurisdiction to be invalid, such holding shall not affect the remaining parts hereof.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.110 Disciplinary Actions

A holder of any license shall be subject to imposition of fines, suspension or revocation of such license, or other action for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the State of Illinois, or that would discredit or tend to discredit the Illinois Gaming Industry or the State of Illinois. Without limiting the foregoing, the following acts or omissions may be grounds for such discipline.

- Failing to comply with or make provision for compliance with the Act, these rules or any federal, state or local law or regulation or failure by the holder of an Owner's license to comply with or make provision for compliance with the holder's Internal Controls.
- Failing to comply with any rule, order or ruling of the Board or its agents pertaining to Gaming.
- Receiving goods or services from a person or business entity who does not hold a Supplier's License but who is required to hold such license by these rules.
- Being suspended or ruled ineligible or having a license revoked or suspended in any state or Gaming Jurisdiction.
- Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in Gaming.
- Employing in any Illinois Riverboat Gaming Operation any person known to have been found guilty of cheating or using any improper device in connection with any Game.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.115 Records Retention

- All holders of Owner's licenses or Supplier's Licenses shall maintain in a place secure from theft, loss or destruction adequate records of business operations which shall be made available to the Board upon request. These records shall be held for at least five (5)

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

years. These records shall include but are not limited to:

- All correspondence with or reports to the Board or any local, state or federal governmental agency;
 - All correspondence concerning the acquisition, construction, maintenance, or business of a proposed or existing Riverboat or Support Facility;
 - Copies of all promotional material and advertising; and
 - A personnel file on each employee.
- b) A holder of an Owner's license, in such manner as the Administrator may approve or require, shall keep accurate, complete, legible and permanent records of any books, records or document pertaining to, prepared in, or generated by the Riverboat Gaming Operation including, but not limited to, all forms, reports, accounting records, ledgers, subsidiary records, computer generated data, internal audit records, correspondence and personnel records. The accounting records shall be maintained as provided in Section 3000.1010.
- c) All records shall be organized and indexed in such a manner to provide immediate accessibility to agents of the Board.
- d) No original book, record or document required to be maintained by this Section may be destroyed by a holder of an Owner's or Supplier's License without prior approval of the Administrator. No original book, record or document necessary or useful to the audit or certification of a holder of an Owner's license's gross receipts may be destroyed unless and until it has been copied and stored.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.140 Applicant's Duty to Disclose Changes in Information

Board licensees and applicants Applicants for licenses issued by the Board shall have a continuing duty to disclose promptly any material changes in the information provided in the application forms and requested materials submitted to the Board. The duty to disclose changes in information shall continue throughout any period of licensure granted by the Board. Board licensees or applicant's for licenses must maintain current release of information forms as originally submitted to the Board.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.141 Applicant/Licensee Disclosure of Agents

Any individual or entity acting on behalf of an applicant or licensee, for compensation, with regard to Board action shall promptly be identified to the Board by both the applicant or licensee and the individual or entity acting on their behalf.

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.160 Owner's and Supplier's Duty to Report Misconduct

The holder of an Owner's or Supplier's License shall promptly report to the Administrator any facts which the holder has reasonable grounds to believe indicate a violation of law (other than minor traffic violations), or Board Rule or a Holder's Internal Controls rule committed by Suppliers or licensed employees, including without limitation the performance of licensed activities different from those permitted under their license. Unless otherwise determined by the Board, all reports required by this Section shall be confidential.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.165 Participation in Games by Owners, Directors, Officers, Key Persons or Gaming Employees

No holder of an Owner's license or any officer, director, key person or gaming employee thereof of any business entity possessing an Owner's license shall play or be permitted to play any game at his facility. No such person shall be permitted to purchase or redeem chips or tokens for any other person.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

SUBPART B: LICENSES

Section 3000.200 Classification of Licenses

The Board may classify an activity to be licensed in addition to, different from, or at a different level than the classifications set forth in this Subpart.

- a) Owner's License. An owner of a Riverboat Gaming Operation is required to hold an Owner's license.
- b) Supplier's License. The following persons or entities are required to hold a Supplier's license:
 - 1) Gaming Operations Entity Manager (individual or entity). All employees of a Gaming Operations entity manager who have any duty, authority or function relating directly or indirectly to the Gaming Operation will be required to hold an Occupation License in accordance with subsection (c) of this Section.
 - 2) Supplier of Gaming Equipment/Supplies, including a manufacturer, distributor, wholesaler, or retailer. All manufacturers of Electronic Gaming Devices, Chips, and Tokens must be licensed as a Supplier regardless of whether the manufacturer uses an independent distributor or wholesaler to distribute its

NOTICE OF ADOPTED AMENDMENT(S)

- 3) Supplier of Gaming Equipment maintenance or repair services.
- 4) Supplier of security services.
- 5) Lessors of Riverboat and/or dock facilities.
- 6) Supplier of any goods or services where payment is calculated by a percentage of a Riverboat Gaming Operation's revenues.
- 7) Junketeers.
- 8) Any other purveyor of goods or services to a Riverboat Gaming Operation, as deemed necessary by the Board.

c) Occupation License. A person employed at a Riverboat Gaming Operation is required to hold an Occupation License. An Occupation licensee may perform any activity included within the licensee's level of Occupation License or any lower level of Occupation License.

- 1) Occupation License, Level 1, includes the following positions, or their equivalent:
 - A) Audit Manager;
 - B) Casino Manager;
 - C) Chief of Security;
 - D) Chief Financial Officer and/or Controller; and

- E) Chief Financial Officer and/or Controller;
- F) Electronic Gaming Device Manager and EDP Manager;
- G) Table Games Manager; and
- H) Table Games Manager.

- 2) Occupation License, Level 2. A gaming or security/surveillance employee not required to hold an Occupation License, Level 1 under subsection (c)(1) of this Section.
- 3) Occupation License, Level 3. An employee not required to hold an Occupation License, Level 1 or Level 2 under subsections (c)(1) and (c)(2) of this Section.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.210 Fees and Bonds

All fees shall be submitted to the Board in the form of a check or money order made payable to the State of Illinois.

- a) Application Fees. The following application fees must be paid upon the submittal of the application to which they relate:
 - 1) Owner's license: \$50,000.
 - 2) Supplier's license: \$10,000.
 - 3) Occupation License, Level 1: \$1,000.
 - 4) Occupation License, Level 2: \$200.
 - 5) Occupation License, Level 3: \$75.
- b) Increased Application Fee. The application fee of an applicant may be increased to the extent that the cost of the investigation relating to the applicant exceeds the applicant's fee amount provided in paragraph (a). Unless otherwise determined by the Administrator, no further

NOTICE OF ADOPTED AMENDMENT(S)

action shall be taken with respect to the application until payment of the increased fee is received by the Board.

- c) License Fees. The following annual license fees are due upon the final finding of the Board that an applicant is suitable for licensing. If there is cause for an investigation relating to a license, at any time, applicant or holder of a license the licensee shall pay the Board for the cost of the investigation.

- 1) Owner's license: \$35,000; \$25,000 for the first year of operation license, \$5,000 for each succeeding year of license.

- 2) Supplier's License: \$5,000.

- 3) Occupation License, Level 1: \$50.

- 4) Occupation License, Level 2: \$50.

- 5) Occupation License, Level 3: \$50.

- d) Holder of an Owner's license Bond

- 1) The form of the holder of an Owner's license surety bond required under Section 10 of the Act must be approved by the Administrator prior to its posting.

- A) The bond shall state that it is exercisable if the licensee fails to comply with the obligations provided under Section 10 of the Act. The bond may provide that the liability of the surety is limited to the extent of the liability of the licensee.

- B) The bond shall state that in the event it is to be modified or cancelled the surety shall notify the Board in writing at least 30 days prior to the date of such modification or cancellation.

- C) The bond shall state that it shall run continuously and remain in full force and effect during the period of the licensee's licensure.

- 2) The bond shall be posted with the Board.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.220 Applications

- a) Application Forms. Application forms shall be submitted by applicants for the classes of licenses issued by the Board as provided in this Section.

- 1) Owner's license. Owner's license Application Form and Personal Disclosure Form 1 for each of the applicant's Key Persons, or any other principal or investor as the Board may require.

- 2) Supplier's License. Supplier's License Application Form and Personal Disclosure Form 1 for each of the applicant's Key Persons, or any other principal or investor as the Board may require.

- 3) Occupation License, Level 1. Personal Disclosure Form 1.

NOTICE OF ADOPTED AMENDMENT(S)

- 4) Occupation License, Level 2. Personal Disclosure Form 2.
5) Occupation License, Level 3. Personal Disclosure Form 3.
b) Additional or Different Forms or Materials. An applicant may be required to submit forms or materials in addition to or different from those listed in paragraph subsection (a).
c) Application Procedures

- 1) An applicant is seeking a privilege and assumes and accepts any and all risk of adverse publicity, notoriety, embarrassment, criticism or other action, or financial loss which may occur in connection with the application process.

- 2) Any misrepresentation or omission made with respect to an application shall be grounds for denial of the application and imposition of penalties, discipline, revocation, suspension or other action.

- 3) Application forms and requested materials shall be submitted in triplicate. Application forms and requested materials for Owner's and Supplier's Licenses shall be submitted in bound form. Applicants for Occupation Licenses shall be photographed and fingerprinted at the time of application at a place designated by the Administrator.

- 5) An application shall be deemed filed when the completed application form, including all required documents and materials, and the application fee have been submitted.

- d) Amendments and Incorporation by Reference

- 1) An application may be amended only upon leave of the Board.

- 2) The Board may allow information, documents, or other materials submitted by an applicant to be incorporated by reference into a subsequent application.

- e) Withdrawal of Applications.

- 1) An Owner's or Supplier's application may be withdrawn only upon leave of the Board.

- A) A request for leave to withdraw an application for an Owner's license shall not be considered by the Board unless received prior to Board action regarding a finding of preliminary suitability under Section 300.230(c). However, applicants who have been found preliminarily suitable may seek leave to withdraw after such finding.

- B) A request for leave to withdraw an application for a Supplier's license shall not be considered by the Board unless received prior to Board action on licensure under Section 3000.240.

- C) The Board may deny leave to withdraw an Owner's or Supplier's application if it determines that withdrawal of the application would not be in the best interests of the public and the Gaming industry.

- 2) If an application for an Owner's or Supplier's License is withdrawn, the applicant may not reapply for a license of the same class within one (1) year from the date of withdrawal is

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

granted, without leave of the Board.

- 3) Applications for Occupational licenses may be withdrawn without leave of the Board, if written notification of withdrawal is received prior to Board action on licensure under Section 3000.245 and unless the intended withdrawal is objected to by the Administrator in which case leave of the Board is required.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.230 Owner's Licenses

- a) Overview of Licensing Procedures. Applications for Owner's Licenses shall be subject to the following procedures prior to licensure:

- 1) Investigation of the applicant and application;
- 2) Finding of preliminary suitability;
- 3) Assessment of the Riverboat Gaming Operation;
- 4) Final practice Gaming excursion;
- 5) Action of the Board; and
- 6) Different or additional licensing procedures as required of an applicant by the Board.

- b) Investigation of the Applicant and Application. An applicant is responsible for compliance with all requests for information, documents, or other materials relating to the applicant and the applicant's application.

- c) Finding of Preliminary Suitability

- 1) An applicant for an Owner's license shall present to the Board in a public meeting the bases reasons why it is suitable for licensing.

- 2) An applicant must satisfy the Board by clear and convincing evidence that the applicant:

- A) Has met those requirements pursuant to of Section 7 of the Act;
- B) Is a person or entity whose background, reputation and associations will not result in adverse publicity for the State of Illinois and its gaming industry; and
- C) Has adequate business competence and experience to be a holder of an Owner's license.
- D) The proposed funding of the entire operation shall be adequate for the nature of the proposed operation and be from a suitable source.

- 3) The Administrator shall then make a report to the Board in a public meeting concerning the suitability of an applicant for licensing.

- 4) After presentation by the applicant and the Administrator, the Board shall determine whether to find the applicant preliminarily suitable for licensing.

- 5) If the Board finds the applicant preliminarily suitable for

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

licensing, it shall issue the applicant a finding of preliminary suitability.

- 6) If the Board finds the applicant not preliminarily suitable for licensing, it shall issue the applicant a Notice of Denial.

- d) In addition to an applicant's or licensee's duty to disclose changes in information submitted to the Board, whenever a change is proposed in the following areas, both an applicant who has been found preliminarily suitable for an Owner's license and holders of Owner's licenses must immediately inform the Board and obtain formal Board approval therefor:

- 1) Key Persons;
- 2) Type of entity;
- 3) Equity and debt capitalization of entity;
- 4) Investors and/or debt holders;
- 5) Source of funds;
- 6) Applicant's economic development plan;
- 7) Riverboat capacity or significant design change;
- 8) Gaming positions;
- 9) Anticipated economic impact; or
- 10) Pro forma budgets and financial statements.

- e) Assessment of the Riverboat Gaming Operation

- 1) After an applicant is found preliminarily suitable for licensing, the applicant's Riverboat Gaming Operation shall be assessed to determine its effectiveness, integrity, and compliance with law and Board standards.

- A) The matters to be assessed include:

- i) The Gaming Operations Manager;
- ii) Proposed Gaming Operations and use of Gaming equipment;
- iii) The Riverboat and Riverboat Gaming Operation;
- iv) Handicapped access;
- v) Support facilities;
- vi) Internal controls and operating procedures;
- vii) Security operations;
- viii) Staffing;
- ix) Casualty and liability insurance;
- x) Affirmative action hiring patterns;
- xi) The status of the financing commitments proposed in the applicant's application;
- xii) Information received subsequent to the preliminary finding of suitability concerning the applicant and the applicant's Key Persons; and
- xiii) Such other matters as the Board may require.

- iv) Fulfillment of economic development plans as submitted in the application; and

- xv) Such other matters as the Board may require.

- B) The Board may establish a schedule setting a timetable for the satisfactory compliance for all operations to be

NOTICE OF ADOPTED AMENDMENT(S)

assessed.

- 2) The Administrator shall report to the Board concerning the ~~suitability of the applicant and whether the applicant's Riverboat Gaming operation is for licensing~~ applicant has satisfactorily complied with subsection (e) of this Section.

- 3) After receipt of the Administrator's report, the Board shall determine whether to authorize a final practice Gaming excursion.

e7f) Final Practice Gaming Excursion
The Board may authorize the Administrator to conduct a final practice Gaming excursion and to issue the applicant a Temporary Operating Permit if the final practice Gaming excursion is successfully completed.

- 1) In determining whether a final practice Gaming excursion has been successfully completed, the Administrator shall assess, among other matters, the effectiveness, safety and security of the Riverboat Gaming Operation as well as the matters listed in ~~Section 3000.230(d) subsection (e)(1)(A) above.~~

- 2) If the Administrator determines that the final practice Gaming excursion has not been successfully completed, he shall so report to the Board.

- 3) If the Administrator determines that the final practice Gaming excursion has been successfully completed, he shall:

- A) Upon delivery of the applicant's license fee and a file stamped copy of the applicant's \$200,000 bond to the State of Illinois posted with the ~~Secretary of State~~ Board, issue the applicant a Temporary Operating Permit; and

- B) Report to the Board.

- 4) A Temporary Operating Permit allows the applicant to operate the Riverboat Gaming Operation to which it pertains until it is withdrawn or the Board takes action on the application.

- 5) A Temporary Operating Permit may be withdrawn by the Administrator if he determines that the Riverboat Gaming Operation to which it pertains is not suitable for continued operation. If the Administrator withdraws a Temporary Operating Permit, he shall so report to the Board.

f7g) Action of the Board

- 1) If the Board finds the applicant suitable for licensing, it shall issue the applicant a license.

- 2) If the Board finds the applicant not suitable for licensing, it shall:

- A) Issue the applicant a Notice of Denial by certified mail; and
- B) If the applicant has been issued a Temporary Operating Permit, return the applicant's license fee.

g7h) Notice of Denial

- 1) An applicant served with a Notice of Denial may request a hearing in accord with Section 3000.405.

- 2) If a hearing is not requested, the Notice of Denial becomes the final order of the Board denying the applicant's application.

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.231 Distributions

A holder of an Owner's license shall make distributions to its partners, stockholders or itself only to the extent that such distribution will not impair the financial viability of the gaming operation. Factors to be considered should include but not be limited to the following:

- a) Working capital requirements;
b) Debt service requirements;
c) Requirements for repairs and maintenance; and
d) Capital expenditure requirements.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.235 Transferability of Ownership

- a) ~~Ownership interests are not transferable.~~An ownership interest in an entity with a finding of preliminary suitability or an a holder of an Owner's license ~~or in a business entity other than a public held business entity which holds an Owner's license may not only be transferred without with leave of the Board. An ownership interest in a business entity, other than a publicly traded corporation, which has an interest in an entity with a finding of preliminary suitability or in a holder of an Owner's license, may only be transferred with leave of the Board.~~

- 1) Any individual or entity filing an application for transfer of any ownership interest in an entity with a finding of preliminary suitability or in a holder of an Owner's license, must complete a Personal Disclosure Form 1 which will form the basis of Board investigation to determine suitability of the person or entity seeking transfer. All costs associated with Board investigation of the applicant for transfer will be born by an entity with a finding of preliminary suitability or by the holder of an Owner's license the transfer of ownership interest in which is being sought.

- 2) Board decision as to suitability for transfer will be based on the same criteria as for a finding of preliminary suitability for licensure under Section 3000.230(d)(2)(A) and (d)(2)(B).

- 3) If the Board denies the application for transfer, it shall issue the applicant a Notice of Denial. An applicant served with a Notice of Denial may request a hearing in accord with Section 3000.405. If a hearing is not requested, the Notice of Denial becomes the final order of the Board denying the application for transfer.

- b) ~~Ownership interests may not be pledged.~~An ownership interest in an entity with a finding of preliminary suitability or in a holder of

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

an Owner's license ~~is held by the business entity which holds either directly or indirectly an Owner's license may not only be pledged as collateral to other than a regulated bank or savings and loan association without~~ with leave of the Board.

- c) Transferability of Ownership in publicly traded parent corporation. The Board shall (unless the investor qualifies as an institutional investor) require a Personal Disclosure Form 1 from any person or entity who or which, individually or in association with others, acquires directly or indirectly, beneficial ownership of more than 5% of any class of voting or non-voting with conversion rights securities of a publicly traded corporation which holds an ownership interest in the holder in an entity with a finding of preliminary suitability of the holder of an Owner's license. The Personal Disclosure Form 1 will form the basis of the Board investigation to determine suitability of the person or entity seeking transfer. All costs associated with Board investigation of the applicant for transfer will be born by the entity with a finding of preliminary suitability or by the holder of an Owner's license in which the publicly traded corporation holds a beneficial interest.

- 1) Board decision as to suitability for transfer will be based on the criteria for a finding of preliminary suitability for licensure under Section 3000.230(d)(2)(A) and (d)(2)(B).

- 2) If the Board denies the application for transfer, it shall issue the applicant a Notice of Denial. An applicant served with a Notice of Denial may request a hearing in accord with Section 3000.405. If a hearing is not requested, the Notice of Denial becomes the final order of the Board denying the application for transfer.

- 3) Commencing as of the date the Board issues a Notice of Denial, it shall be unlawful for the applicant served with the Notice of Denial:

- A) to receive any dividends or interest upon any such securities;
- B) to exercise, directly or indirectly, any right conferred by such securities; and/or
- C) to receive any remuneration in any form from any person or entity holding any license pursuant to the Act for services rendered or otherwise.

- 4) Within thirty (30) calendar days after the earlier of either (i) the failure of an applicant served with a Notice of Denial to request a hearing or (ii) the issuance of a final order pursuant to Subpart D, the holder of the affected Owner's license shall purchase all of the interests in the holder of the Owner's license from such disqualified person or entity, and the disqualified person or entity shall sell all of his/its interest in the holder of the Owner's license to the licensee at the lesser of the market price or purchase price of such interests in the holder of the Owner's license.

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.240 Supplier's Licenses

- a) Overview of Licensing Procedures. Applications for Supplier's Licenses shall be subject to the following procedures prior to licensing:

- 1) Application;
- 2) Investigation of the applicant;
- 3) ~~Investigation of the applicant;~~
- 4) ~~Investigation of the applicant;~~

- 5) ~~Action of the Board; and~~

- 6) ~~Different or additional licensing procedures as required of the applicant by the Board.~~

- b) Investigation of the Applicant and Application. An applicant is responsible for compliance with all requests for information, documents, or other materials relating to the applicant and the applicant's application.

- c) An applicant for a Supplier's License shall present to the Board in a public meeting the bases why it is suitable for licensing.

- d) In determining whether to grant such a license, the Board shall consider the character, reputation, financial integrity and experience of the applicant, its key persons and any person who controls, directly or indirectly, the applicant. In addition, the Board shall consider whether the aforementioned applicant and individuals background, reputation and associations will result in adverse publicity for the State of Illinois and its Riverboat gaming industry. In addition, an applicant must demonstrate that it has sufficient competence to provide products or services for the supply of which it seeks licensing.

- e) An applicant must satisfy the Board by clear and convincing evidence that the applicant has met the requirements of Section 8 of the Act and Board Rules.

- f) ~~is a person or entity whose background, reputation, and associations will not result in adverse publicity for the State of Illinois and its gaming industry; and~~

- 2) ~~Has sufficient competence to provide products or services for the supply of which it seeks licensing;~~

- g) ~~Investigation of the applicant; the Administrator shall report all relevant information produced by his investigation to the Board in a public meeting and shall indicate his opinion as to suitability;~~

- g) Action of the Board

- 1) If the Board finds the applicant suitable for licensing, it shall direct the Administrator to issue the applicant a Supplier's License upon payment of the applicant's license fee, including applicable extra qualification license fees.

- 2) If the Board finds the applicant not suitable for licensing, it shall issue the applicant a Notice of Denial by certified mail.

NOTICE OF ADOPTED AMENDMENT(S)

~~h7g)~~ Notice-of-Denial-Request for Hearing

- 1) An applicant who is served with a Notice of Denial may request a hearing in accord with Section 3000.405.
- 2) If a hearing is not requested, the Notice of Denial becomes the final order of the Board denying the applicant's license application.

~~h7h)~~ Reapplication for Denied License. If an applicant is denied a license, the applicant may not reapply for a license within one (1) year from the date on which the Board voted to deny his application, ~~of-dental~~ without leave of the Board.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.245 Occupational Licenses

a) Overview of Licensing Procedures. Applications for Occupational Licenses shall be subject to the following procedures prior to licensing:

- 1) Application;
- 2) Issuance of a Temporary temporary identification badge-Badge;
- 3) Investigation of the applicant;
- ~~4)~~ Findings-of-suitability;
- ~~5-7)~~ Action of the Board; and
- ~~6-7)~~ Different or additional licensing procedures as required of the applicant by the Board.

b) Temporary Identification Badge Requirements

- 1) Each occupational applicant shall receive from his employer a partially completed temporary identification badge. Applicant shall deliver such badge to a Board agent at applicant's employer's dock site facility for processing and completion.
- 2) The Temporary identification badge shall:
 - A) Be a white 3-1/2" by 2" card bearing the name and logo of the Riverboat Gaming Operation;
 - B) Provide space for a 1" by 1-1/4" photograph;
 - C) Display applicant's first name and job title;
 - D) Provide a space for an eight (8) digit number;
 - E) Provide a space for the Administrator's signature;
 - F) Provide spaces for the dates of issuance and expiration of such temporary badge; and
 - G) Provide on the reverse side a line for the employee's last name, signature, social security number and date of birth.
- 3) Upon presentation of the partially completed badge to a Board agent at the dock facility, the applicant shall be photographed and fingerprinted by the agent who shall complete and laminate the badge.
- 4) Temporary identification badges are not transferable and upon resignation or termination the-temporary-identification-badge of employment, must be returned by the occupational license

NOTICE OF ADOPTED AMENDMENT(S)

applicant to the holder of an Owner's license- or to the Board. If returned to the holder of an Owner's license, the holder must return the badge to the Board.

5) Withdrawal of temporary identification badge

A) The Administrator, upon written notification to the applicant and the holder of the Owner's license, may withdraw an Applicant's temporary identification badge upon determining a recommendation of denial to the Board.

B) If an applicant's temporary identification badge is withdrawn, the applicant is not permitted to work for the riverboat gaming operation until and unless the Board issues a license to the applicant.

C) If an applicant's temporary identification badge is withdrawn, the applicant's application for licensing will proceed to Board action unless it is withdrawn by the applicant prior to Board action on licensure.

c) Investigation of the Applicant and Application. An applicant is responsible for compliance with all requests for information, documents, or other materials relating to the applicant and the applicant's his application.

d) Findings-of-Suitability---The-Administrator-shall-report-all-relevant information-produced-by-his-investigation-to-the-Board-and-shall indicate-his-opinion-as-to-suitability;

e) Action of the Board

1) In determining whether to grant such a license, the Board shall consider the character and reputation of the applicant and the qualifications of the applicant to perform the duties of the position to be licensed.

2) If the Board finds the applicant suitable for licensing, it shall direct the Administrator to issue the applicant a license upon payment of the applicant's license fee---including-applicable extra-qualification-license-fees. If the applicant's license fee---including-applicable-extra-qualification-license-fees is not received by the Board within 10 business days after the date of mailing notification of the applicant's suitability for licensing to the applicant, the Administrator shall withdraw the applicant's temporary Permit identification badge and report to the Board.

3) If the Board finds the applicant not suitable for licensing, it shall issue the applicant a Notice of Denial by certified mail.

~~f7e)~~ Notice-of-Denial-Request for Hearing

1) An applicant who is served with a Notice of Denial may request a hearing in accord with Section 3000.405.

2) If a hearing is not requested, the Notice of Denial becomes the final order of the Board denying the applicant's license application.

~~g7f)~~ Reapplication for Denied License. If an applicant is denied a license, the applicant may not reapply for a license of the same class within one (1) year from the date on which the Board voted to deny his

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

~~application, of--denial~~ without leave of the Board.

~~h7g)~~ Permanent Identification Badge Requirements

1) Upon notification of a finding of suitability by the Board and issuance of an Occupational License to applicant, applicant shall receive from his employer a partially completed permanent identification badge. Applicant shall deliver such badge to a Board agent at applicant's dock site facility for completion and processing.

2) The permanent identification badge shall:

- A) Be of a color selected by the Riverboat Gaming Operation for use on all permanent identification badges utilized by its Occupational Licensees;
- B) Be a 3-1/2" by 2" card bearing the name and logo of the Riverboat Gaming Operation;
- C) Provide space for a 1" by 1-1/4" photograph;
- D) Provide a space for an eight (8) digit number;
- E) Display the employee's first name and job title;
- F) Provide a space for the Administrator's signature;
- G) Provide a space for the dates of issuance and expiration of applicant's Occupational License;
- H) Provide on the reverse side of the card a line for the employee's last name, signature, social security number and date of birth.

3) Permanent identification badges are not transferable and upon resignation or termination of employment ~~the--permanent identification--badge~~ must be returned by the occupational licensee to the holder of an Owner's ~~license~~ license or to the Board. If returned to ~~the~~ the holder of an Owner's ~~license~~ license, the holder must then return the badge to the Board.

~~h7h)~~ Display of Identification Badges

Identification badges as ~~defined--in~~ required by ~~Sections~~ subsections 3000.240245~~(c)~~(b) and ~~h7(g)~~ of ~~these--rules~~ this Section shall be worn by all ~~Occupational--license--applicants~~ employees during work hours, and by occupational licensees, including such persons employed on the dock site. Identification badges shall be clearly displayed.

~~h7i)~~ A fee of \$10.00 shall be paid to the Board for any necessary replacement(s) of identification badges.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.250 Transferability of Licenses

Licenses issued by the Board ~~and--the--privileges--which--they--provide~~ may not be transferred by a licensee to another person or entity~~without--leave--of--the Board.~~

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

July 9, 1993)

Section 3000.281 Transfer of ~~License--Expiration~~ Registration

~~All--licenses--herein--provided--Registrations~~ are not transferable from one Gaming Device to another device.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.282 Seizure of Gaming Devices

Any Gaming Device without a current registration tag shall be subject to seizure. Any agent of the Board may demand and gain access to any property relating to a Riverboat Gaming Operation ~~Operations~~, inclusive of Support Facilities, and seize any Gaming Device which does not bear a current registration tag or is operating in a manner that violates any provision of the Act, Board Rules or is operating in a manner that violates any provision of the seized shall be subject to confiscation and forfeiture. In the event the Board seizes Gaming Devices in accordance with this Section, the Board shall notify the holder of an Owner's ~~license~~ license of such seizure and of the holder's right to a hearing under Subpart K of this Part.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

SUBPART C: OWNER'S INTERNAL CONTROL SYSTEM

Section 3000.300 Objectives of Internal Control System

The holder of an Owner's ~~license~~ license shall establish an Internal Control System, the procedures of which shall be designed to reasonably insure that:

- a) Assets are safeguarded;
- b) Financial records are accurate and reliable;
- c) Transactions are performed only in accordance with the specific or general authorization of the holder of an Owner's ~~license~~ license;
- d) Transactions are recorded adequately to permit proper reporting of Adjusted Gross Receipts and of fees and taxes, to maintain accountability for assets, and in conformity with generally accepted accounting principles;
- e) Access to assets is permitted only by authorized personnel;
- f) Recorded accountability for assets is compared with actual assets at reasonable intervals and appropriate action is taken with respect to any discrepancies; ~~and~~
- g) Functions, duties and responsibilities are appropriately segregated and performed in accordance with sound practices by competent, qualified personnel; ~~and~~
- h) Gaming is conducted with integrity.

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.320 Requirements

The Internal Control System shall include without limitation the following:

- a) An organizational chart depicting the appropriate segregation of functions and responsibilities.
- b) A description of the duties and responsibilities of each position shown on the organizational chart.
- c) A detailed, narrative description of the administrative and accounting procedures designed to satisfy the requirements of Section 3000.300 including without limitation a separate section for the following:

- 1) Live Games
 - A) Physical characteristics of drop box and tip box.
 - B) Transportation of drop and tip boxes to and from Gaming tables.
 - C) Procedures for ~~table-inventories~~ chip purchases.
 - D) Procedure for Chip inventory.
 - ~~B7E)~~ Procedures for opening Gaming tables.
 - ~~B7F)~~ Procedures for accepting cash and cash equivalents at Gaming tables.
 - ~~B7G)~~ Procedures for fills and credits.
 - ~~B7H)~~ Procedures for accepting tips or gratuities from patrons.
 - ~~H7I)~~ Procedures for transporting Chips and Tokens to and from Gaming tables.
 - ~~B7J)~~ Procedures for shift changes at Gaming tables.
 - ~~B7K)~~ Procedures for closing Gaming tables.

2) Electronic Gaming Devices

- A) Drop bucket characteristics.
- B) Transportation of drop buckets to and from Electronic Gaming Devices.
- C) Procedures for Token purchases.
- D) Procedures for Token inventory.
- E) Procedures for hopper fill.
- F) Procedures for transportation of Electronic Gaming Devices.
- G) Procedures for hand-paid jackpots.
- 3) Cashier's cage
 - A) Layout and physical characteristics.
 - B) Procedures for accounting controls.
 - C) Procedures for exchange of checks submitted by Gaming patrons.
 - D) Procedures for granting credit.
 - E) Procedures for acceptance, accounting for and redemption of patrons' cash deposits.
 - F) Procedures for control of coupon redemption and other complimentary distribution programs.
 - G) Procedures for shoreside facilities.
 - H) Procedures for Federal Cash Transactions reporting.

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

- 4) Count Room
 - A) Characteristics.
 - B) Procedures for counting and recording Gaming table drop and tip boxes.
 - C) Procedures for counting and recording Electronic Gaming Device drop buckets.
 - 5) Internal Audit
 - d) A description of and procedures for a holder's security and surveillance systems, and all rules concerning live Games.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

SUBPART D: HEARINGS ON NOTICE OF DENIAL OR PLACEMENT ON EXCLUSION LIST

Section 3000.400 Coverage of Subpart

The rules contained in this Subpart shall govern all hearings requested upon issuance of a Notice of Denial of licensure, Notice of Denial of an application for transfer of ownership interest, or a Notice of Placement on Exclusion List. Hearings under this Subpart are de novo proceedings for the creation of an evidentiary record regarding the placement of an individual on an exclusion list or an applicant's suitability for licensure or transfer. A hearing under this Subpart is not an appeal of Board action.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.405 Requests for Hearings

- a) All requests for hearings must:
 - 1) Be in writing;
 - 2) State the name, current address and current telephone number of the petitioner; and
 - 3) ~~State the matter-number-contained-on-the-Notice-of-Denial-of--the-Notice-of-Exclusion-served-on-the-petitioner;~~
 - 4) ~~State--the--particular-Section-of-the-Act-or-Board-rule-involved;~~ and
 - 5) State in detail the reasons why and the facts upon which the petitioner will rely to show, in cases involving licensing or transfer of ownership, that the petitioner is suitable for licensure or transfer, including specific responses to any facts enumerated in the Board's Notice of Denial. In matters involving exclusion, the petitioner shall state in detail the reasons why and the facts upon which the petitioner will rely to demonstrate why he should not be excluded.
- 4) All requests for hearings must be verified. Such verification shall be notarized and shall include a certification in the following form:

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

The undersigned certifies that the statements set forth in this request for hearing are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

- b) A request for hearing must be submitted within five (5) days after service the date of delivery of the Notice of Denial. A request for hearing must be submitted within thirty (30) days after service the date of delivery of Notice of Exclusion.

- 1) The petitioner may submit a request for hearing by:

- A) Personal delivery;
- B) Certified Mail, postage prepaid; or
- C) Overnight express mail, postage prepaid.

- 2) All requests for hearings must be submitted to the Administrator, with a copy sent to the Chief Legal Counsel in duplicate at the Board's offices in either Springfield or Cook County.

- 3) A request for hearing submitted by certified mail or overnight express mail shall be deemed timely submitted if it is postmarked no later than five (5) days after service date of delivery of a Notice of Denial in accordance with the Act, or thirty (30) days after service of the Notice of Exclusion.

- 4) ~~No documents or papers shall be considered filed until actually received by the Board.~~

- c) A request for hearing should be deemed granted, unless denied. The Board may deny a request for hearing if the statement of reasons and facts which it contains does not establish a prima facie case.

- d) A request for hearing may not be withdrawn or voluntarily dismissed if the Board determines that withdrawal or voluntary dismissal is not in the best interests of the public and the Gaming Industry. If the Board allows an applicant to withdraw a hearing request, the initial denial becomes a final Board order. If the Petitioner does not prosecute his case after 21 days, the Board may move for entry of default judgment. Failure to prosecute shall result in the entry of a default judgment against Petitioner.

- f) ~~The petitioner shall be served with written notice of the time and place of the hearing by:~~

- 1) Personal delivery;
- 2) Certified mail, postage prepaid; or
- 3) Overnight express mail, postage prepaid.

- e) The Chairman of the Board may appoint a Board member or an Administrative Law Judge to conduct a hearing in accordance with this Subpart. The petitioner will be copied on the letter of appointment and such letter will serve as notice of the pendency of the hearing. The Administrative Law Judge shall establish a status date and notify the parties thereof.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

Section 3000.410 Appearances

- a) A party petitioner may be represented by an attorney who is licensed in Illinois. All attorneys who appear in a representative capacity on behalf of a party petitioner must file written notice of appearance setting forth:

- 1) The name, address and telephone number of the attorney(s);
- 2) The name and address of the party--~~represented~~ petitioner represented; and
- 3) An affirmative statement indicating that the attorney is licensed in Illinois.

- b) Only individual attorneys may file appearances. Any petitioner's attorney who has not filed an appearance may not address the hearing officer or sign pleadings.

- b)c) A member in good standing of the bar of the highest court of any state or of any United States district court may, upon motion, be permitted to argue or conduct a particular hearing in whole or in part. ~~The petition for admission under this subsection (b) of this Section may be presented to the hearing officer by the petitioner.~~

- c)d) An attorney may only withdraw his appearance upon written notice to the hearing officer ~~stating the reasons therefor.~~

- d)e) Any individual petitioner may appear on his own behalf.

- e)f) A partnership may be represented by a partner.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.415 Discovery

- a) Upon written request served on the opposing party, any a party shall be entitled to:

- 1) The name and address of any witness who may be called to testify on behalf of the opposing party; and
- 2) All documents or other materials in the possession or control of the opposing party which a the opposing party reasonably expects will be necessary to introduce into evidence. Petitioner's burden of production includes those documents Petitioner reasonably expects to introduce into evidence either in his case-in-chief or in rebuttal. Rebuttal documents, to the extent they are not immediately identifiable, shall be tendered to Respondent within two (2) weeks after receipt of documents tendered to Petitioner by Respondent unless additional time is granted by the hearing officer.

- b) Discovery may be obtained only through written requests to produce witness lists, documents or other materials, as specified in subsection (a) of this Section. Witnesses and documents responsive to a proper request for production that were not produced shall be excluded from the hearing and additional sanctions or penalties may be

NOTICE OF ADOPTED AMENDMENT(S)

Imposed.

- c) Subpoenas for the attendance of witnesses or subpoenas-duces-tecum-for the-production-of-documents-records-or-other-materials at hearing may be served by the petitioner only upon application to the hearing officer.

1) The applicant petitioner must show good cause, state the testimony to be elicited from a witness, and why the evidence to which the testimony relates cannot otherwise be obtained, and state the reasons why the testimony or materials are necessary and relevant.

- 2) An agent of--the--Board or employee of the Board may not be required to appear except under the procedures provided in this Section.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.425 Proceedings

- a) The burden of proof is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing by clear and convincing evidence either that the petitioner is suitable for licensing or a transfer of ownership or that the petitioner should not be excluded under Section 3000.720.

~~At~~Any testimony shall be given under oath or affirmation.

- c) Both parties may present an opening statement on the merits. Petitioner proceeds first.

- d) The petitioner shall then present its case-in-chief-in-support-of-its suitability-for-licensure.

- e) Upon conclusion of the petitioner's case-in-chief, the respondent may move for a directed finding. The hearing officer may hear arguments on the motion or may grant, deny or reserve decision thereon, without argument.

- f) If no motion for directed finding is made, or if such motion is denied or decision reserved thereon, the respondent may present its case.

- g) Each party may conduct cross-examination of adverse witnesses.

- h) Upon conclusion of the respondent's case, the petitioner may present evidence in rebuttal.

- i) Both parties may present closing argument. The petitioner proceeds first, then the Respondent respondent and thereafter the petitioner may present rebuttal argument.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.430 Evidence

- a) The hearing need not be conducted according to technical rules of evidence. Any relevant evidence may be admitted and shall be

NOTICE OF ADOPTED AMENDMENT(S)

sufficient in itself to support a finding if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in a civil action. Hearsay may support a finding of the Administrative Law Judge if it is the best evidence available, has sufficient indicia of trustworthiness and reliability and is of the type reasonably and customarily relied on in the gaming industry.

- 1) If relevant, and not precluded from the hearing by Section 6(d) of the Act relating to all license applicants under the Act and these Rules, official Illinois Gaming Board records or certified copies thereof shall be admissible into evidence.

- 2) Official Illinois Gaming Board records are documents either prepared by or provided to the Board for use in evaluating an applicant or for use in determining whether an individual should be excluded from a Riverboat Gaming Operation.

- 3) A petitioner must afford the Board an opportunity to investigate and verify information that petitioner intends to offer in support of his case. Petitioner shall not be permitted to introduce into evidence any information which the Board has not been afforded the opportunity to investigate and verify.

- b) The parties should, to the fullest extent possible, stipulate to all matters which are not or fairly should not be in dispute.

- c) The parties may make objections to evidentiary offers. When an objection is made, the hearing officer may receive the disputed evidence subject to a ruling at a later time.

- d) ~~Copies-of-the-records-of-the-Board-maintained-in-any-form-which-are reproduced-in-the-name-of-the-Board-under-the-certification-of-the Chairman-of-the-Board-or-his-designee-may-be-proved-in-any-hearing-or legal-proceeding--Such-reproduced-copy-shall-without-further-proof be-admitted-into-evidence.~~

- e)d) The hearing officer may take official notice of any generally accepted information or technical or scientific matter within the field of gaming, and any other fact which may be judicially noticed by courts of this State. The parties shall be informed of any information, matter or facts so noticed, including any staff memoranda or data, and shall be given reasonable opportunity to refute such information.

- f) ~~No--party--or--its--representative--shall--communicate--directly--or indirectly-with-the-hearing-officer--regarding-any--pending-matter except-upon-notice-and-opportunity-to-all-parties-to-participate.~~

Section 3000.431 Prohibition on Ex Parte Communication

A party or its representative shall not communicate directly or indirectly with the hearing officer regarding any pending matter, except upon notice to and opportunity for all parties to participate.

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.435 Sanctions and Penalties

- a) The hearing officer may impose sanctions and penalties if the hearing officer finds that a party has acted in bad faith, for the purpose of delay, or has otherwise abused the hearing process. Such sanctions and penalties include but are not limited to default judgment or directed finding on one or more issues.
- b) If a party petitioner fails to testify in on his own behalf with respect to any question propounded to him, the hearing officer may infer therefrom that such testimony or answer would have been adverse to the case of the party refusing to testify.
- c) If the petitioner or its agent fails to answer a subpoena or a summons, or refuses to testify fully at the request of the Board or its agents, such failure or refusal may be deemed independent grounds for a finding that the petitioner is unsuitable for licensing or that the petitioner should be placed on the Exclusion List. In addition, the hearing officer may infer therefrom that such testimony would have been adverse to the Petitioner.
- d) Failure of any-party petitioner to appear at a hearing shall constitute an admission of all matters and facts contained in the Notice of Denial or Request for Hearing. In such cases the hearing officer may take action based upon such admission or upon any other evidence, including affidavits, without any further notice to the party petitioner.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.440 Transmittal of Record and Recommendation to the Board

- a) The record shall consist of the following:
 - 1) The Notice of Denial or Notice of Exclusion, the Request for Hearing and all motions and rulings thereon;
 - 2) All evidence received;
 - 3) A statement of matters officially noticed;
 - 4) Offers of proof, objections and rulings thereon;
 - 5) The recommendations and any findings of fact and conclusions of law made by the hearing officer.
- b) Oral proceedings or any part thereof involving contested issues shall be recorded stenographically or by such other means as to adequately insure the preservation of such testimony or oral proceedings and shall be transcribed on request of any party. Said transcript shall be paid for by the requesting party.
- c) Upon conclusion of the hearing, the hearing officer shall issue to the Board written findings of fact and conclusions of law and his or her recommendations. Findings of fact shall be based exclusively on the

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

evidence and on matters officially noticed.

d) Final Board Order

- 1) The Board shall review the entire record and shall render a written order including the bases for its decision. ~~decision on the merits, which shall contain findings of fact and law, and with thereafter issue a final board order.~~
- 2) Copies of the final Board order shall be served on a-party petitioner by personal delivery, certified mail or overnight express mail.
- 3) A final Board order shall become effective upon personal delivery to a party or upon posting by certified or overnight express mail.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.445 Status of Applicant for Licensure or Transfer Upon Filing Request for Hearing

An applicant who has been denied a license or seeks transfer of an ownership interest and has requested a hearing under this Subpart shall still be considered an applicant for purposes of compliance with applicable statutory provisions and Board Rules.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

SUBPART F: CONDUCT OF GAMING

Section 3000.600 Wagering Only with Approved Chips, Tokens and Electronic Cards

Riverboat Gaming Wagers may be made only with Chips, Tokens or electronic cards approved by the Administrator and purchased from a holder of an Owner's license. Such Chips, Tokens or electronic cards Electronic Cards may only be used while aboard the Riverboat.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.620 Submission of Chips for Review and Approval

Each holder of an Owner's license shall submit to the Administrator for approval a sample of each denomination of Value and Non-Value Chip in its primary and secondary sets and shall not utilize such Chips for Gaming purposes until approved by the Administrator.

- a) In requesting approval of such Chips, a holder of an Owner's license, prior to having any such Chips manufactured, shall first submit to the Administrator a detailed schematic of its proposed

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

Chips, or a sample Chip, which shall show the front, back and edge of each denomination of Value Chip and each Non-Value Chip and the design and wording to be contained thereon, all of which shall be depicted on such schematic or Chip as they appear, both as to size and location, on the actual Chip. Once the design schematics or Chip are approved by the Administrator, no Value or Non-Value Chip shall be issued or utilized until and unless a sample of each denomination of Value Chip and each color of Non-Value Chip is also submitted to and approved by the Administrator.

- b) No holder of an Owner's license or other person licensed by the Board shall manufacture for, sell to, distribute to or use in any casino outside of Illinois, any Value or Non-Value Chips having the same edge design as those approved for use in Illinois.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.635 Issuance and Use of Tokens for Gaming in Electronic Gaming Devices

- a) No holder of an Owner's license shall issue or cause to be utilized in the a Riverboat Gaming Operation any Tokens for Gaming in Electronic Gaming Devices unless such Tokens are approved by the Administrator. In requesting approval of such Tokens, the holder of an Owner's license shall first submit to the Administrator a detailed schematic of its proposed Token which shall show its front, back and edge, its diameter and thickness and any logo, design or wording to be contained thereon, all of which shall be depicted on such schematic as they will appear, both as to size and location, on the actual Token. Once the design schematics are approved by the Administrator, no Token shall be issued or utilized until a sample of such Token is also submitted and approved by the Administrator.

- b) A holder of an Owner's license may, with the approval of the Administrator, issue metal Tokens designed for Gaming in its Electronic Gaming Devices. Such Tokens shall:

- 1) Clearly identify the name and location of the Riverboat Gaming Operation issuing them;
- 2) Clearly state the face value of the Token;
- 3) Contain the statement "Not Legal Tender";
- 4) Not be deceptively similar to any current or past coin of the United States or a foreign country;
- 5) Be of a size or shape or have other characteristics which will physically prevent their use to activate lawful vending machines or other machines designed to be operated by coins of the United States; and
- 6) Not be manufactured from a ferromagnetic material or from a three-layered material consisting of a copper-nickel alloy clad on both sides of a pure copper core or from a copper based alloy except if the total zinc, nickel, aluminum, magnesium and other

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

- c) Tokens approved for issuance by a holder of an Owner's license shall be:

- 1) Issued to a patron upon payment therefor, or in accordance with a complimentary distribution program authorized pursuant to the Act;
- 2) Capable of insertion into designated Electronic Gaming Devices operated by the holder of an Owner's license for the purpose of activating play;
- 3) Available as a payout from the hopper of such Electronic Gaming Devices; and
- 4) Redeemable by the patron in accordance with the Act.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

SUBPART G: EXCLUSION OF PERSONS

Section 3000.730 Procedure for Entry of Names

- a) Upon a determination that a person comes under any one of the criteria listed in Section 3000.720, such person shall be deemed a candidate for exclusion, and the Administrator shall file a Notice of Exclusion. Such Notice shall include the identity of the candidate, the nature and scope of the circumstances or reasons that such person should be placed on the Exclusion List, names of potential witnesses, and a recommendation as to whether the exclusion or ejection shall be permanent. The Notice shall also inform such person of the availability of a hearing by the Board pursuant to Subpart D. A request for a hearing must be made within thirty (30) days from the date the Notice of Exclusion was filed postmarked.

- b) When a person is excluded or ejected, such person is prohibited from further contact of any kind with any Riverboat Gaming Operation in the State of Illinois unless and until a determination is made by the Board on the merits of a filed Notice of Exclusion or a requested hearing pursuant to Subpart D of this Part. If a determination by the Board is examined under judicial review pursuant to Section 17.1 of the Act, then the exclusion shall continue until the judicial review is completed.

- c) If the Board or a subsequent judicial review finds in favor of the candidate or Excluded person, then his name shall be removed from the Exclusion List and his exclusion shall be terminated as of the date of the action by the Board or the court. If the finding is against the candidate or Excluded person, his name shall be placed on the Exclusion List. If no hearing is requested, the person's name shall be placed on the Exclusion List. If the Notice of Exclusion requests a temporary exclusion, and the Administrator agrees to make the exclusion temporary, the Administrator shall set the term of the temporary exclusion. In making this time determination, the

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

Administrator may consider the recommendation of his staff, but in no case shall such a temporary exclusion be less than six (6) months. Such temporary exclusion or ejection shall only apply to those persons excluded or ejected for criteria as it relates to conduct. All other exclusions or ejections shall be permanent.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993.)

SUBPART H: SURVEILLANCE AND SECURITY

Section 3000.800 Required Surveillance Equipment

The holder of an Owner's license shall install in the Riverboat a closed circuit television system in accord with the specifications herein and shall provide access to the system or its signal by the Board. The closed circuit television must meet or exceed the following specifications:

- a) Solid state, black and white cameras, 2/3 or 1/2 format, with minimum 400 plus line resolution installed in fixed positions, with matrix control and/or with pan, tilt and zoom capabilities, secreted from public and non-security personnel view to effectively and clandestinely monitor in detail, from various vantage points, the following:

- 1) The Gaming conducted at the Electronic Gaming Devices;
- 2) The master display board and the number or ball selection device for Keno;
- 3) The count processes conducted in the count rooms;
- 4) The movement of cash, Chips, drop boxes, tip boxes, Token storage boxes, and drop buckets within the Riverboat and any area of transit of uncounted Tokens, Chips, cash and cash equivalents;
- 5) Any area where Tokens or Chips can be purchased or redeemed;
- 6) The entrance and exits to the Riverboat and the count rooms;
- 7) For all live Games regardless of patron or employee position:
 - A) Hands of all Gaming patrons and dealers;
 - B) Tray; and
 - C) Overall layout of the table area capable of capturing clear individual images of Gaming patrons and dealers, inclusive of, without limitation, facial views and the playing surface so that the outcome of each Game may be clearly observed;

- 8) Such other areas as the Administrator designates;
- b) Individual solid state, color, television cameras, 2/3 or 1/2 format, with minimum 320 plus line resolution with matrix and/or pan, tilt and zoom capabilities, secreted from public and non-security personnel view augmented with appropriate color corrected lighting to effectively and clandestinely monitor in detail, from various vantage points, the following:

- 1) ~~Baccarat~~ and Roulette tables, in a manner to clearly observe the Wagers, patrons, and the outcome of each Game;
- 2) The operations conducted at the fills and credit area of the

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

- c) All closed circuit cameras equipped with lenses of sufficient magnification to allow the operator to clearly distinguish the value of the Chips, Tokens and playing cards;
- d) Video monitors that meet or exceed the resolution requirement for video cameras with solid state circuitry, and time and date insertion capabilities for taping what is being viewed by any camera in the system. Each video monitor screen must measure diagonally at least twelve (12) inches and all controls must be front mounted;
- e) Video printers capable of adjustment and possessing the capability to generate instantaneously, upon command, a clear, color and/or black and white, copy of the image depicted on the videotape recording;
- f) Clock, recorded on tape and visible on any monitor when recorded;
- g) Wiring to prevent tampering. The system must be supplemented with a back-up gas/diesel generator power source which is automatically engaged in case of a power outage and capable of returning to full power within seven (7) to ten (10) seconds;
- h) An additional uninterrupted power supply system so that time and date generators remain active and accurate, and switching gear memory and video surveillance of all riverboat entrances/exits and cage areas is continuous;
- i) Video switches capable of both manual and automatic sequential switching for the appropriate cameras;
- j) Videotape recorders capable of producing high quality first generation pictures with a horizontal resolution of a minimum of 240 plus lines non-consumer, industrial grade, and recording on a standard 1/2 inch, V.H.S. tape with high-speed scanning and flickerless playback capability in real-time. Such videotape recorders must possess time and date insertion capabilities for taping what is being viewed by any camera in the system;
- k) Audio capability in the soft count room; and
- l) Adequate lighting in all areas where camera coverage is required. The lighting shall be of sufficient intensity to produce clear videotape and still picture production, and correct color correction where color camera recording is required. The video must demonstrate a clear picture, in existing light under normal operating conditions.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993.)

Section 3000.850 Dock Site Board Facility

The holder of an Owner's license shall provide a secure and segregated room at the dock site for the exclusive use of Board agents. This room shall be in addition to the Board Surveillance Room provided for Board agents on the Riverboat. The dock site room shall be of a size approved by the Administrator. The dock site room shall include a secure telephone line with a different number than the telephone lines on the Riverboat.

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

SUBPART J: ACCOUNTING RECORDS AND PROCEDURES

Section 3000.1000 Ownership Records

a) A holder of an Owner's license shall keep and provide to the Board upon request the following records:

a1) If a corporation:

1A) A certified copy of the articles of incorporation and any amendments;

2B) A certified copy of the bylaws and any amendments;

3C) A certificate of good standing from the state of its incorporation;

4B) A certificate of authority from the Illinois Secretary of State authorizing it to do business in Illinois, if such corporation is operating as a foreign corporation in Illinois;

5B) A list of all current and former officers and directors;

6P) A certified copy of minutes of all meetings of the stockholders and directors;

7G) A current list of all stockholders including the names of beneficial owners of shares held in street or other names;

8H) The name of any business entity and a current list of all stockholders in such entity, including the names of beneficial owners of shares held in street or other names, in which such corporation has a direct, indirect or attributed interest;

9I) A copy of the stock certificate ledger;

10J) A complete record of all transfers of stock;

11K) A record schedule of amounts paid to the corporation for issuance of stock and other capital contributions and dates thereof;

12B) A record schedule of all dividends distributed by the corporation; and

13M) A record schedule of all salaries, wages, and other remuneration (including perquisites), direct or indirect, paid during the calendar or fiscal year, by the corporation, to all officers, directors, and stockholders with an ownership interest at any time during the calendar or fiscal year, equal to or greater than five percent (5%) of the outstanding capital stock of any class of stock.

b2) If a partnership:

1A) A certified copy of the partnership agreement;

2B) A certificate of limited partnership of its domicile;

3E) A list of the partners, including names, addresses, the percentage of interest in net assets, profits and losses held by each, the amount and date of each capital contribution of each partner, and the date the interest was acquired;

4B) A record schedule of all withdrawals of partnership funds or

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

assets; and

5B) A record schedule of salaries, wages and other remuneration (including perquisites), direct or indirect, paid to each partner during the calendar or fiscal year.

c3) If a sole proprietorship:

1A) A schedule showing the name and address of the proprietor and the amount and date of his original investment;

2B) A record schedule of dates and amounts of subsequent additions to the original investment and any withdrawals; and

3E) A record schedule of salaries, wages and other remuneration (including perquisites), direct or indirect, paid to the proprietor during the calendar or fiscal year.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1010 Accounting Records

a) The holder of an Owner's license shall maintain complete, accurate, legible and permanent records of all transactions pertaining to its revenues and expenses, assets, liabilities and equity. The Administrator may, from time to time, direct the holder of an Owner's license to alter the manner in which such records are maintained.

b) ~~General~~The accounting records shall be maintained on using a double entry system of accounting with transactions recorded on the accrual basis and supported by detailed supporting and subsidiary records.

c) The Administrator shall prescribe a uniform chart of accounts and including account accounting-classification classifications in order to insure consistency, comparability, and effective appropriate disclosure of financial information. The prescribed chart of accounts shall be the minimum level of detail to be maintained for each accounting classification by the holder of an Owner's license. The detailed supporting-and subsidiary records ~~of--the-holder--of--an Owner's--license~~ shall include as a minimum the following: without limitation:

1) Detailed records general ledger accounts identifying all revenues revenue sources, expenses, assets, liabilities and equity for the holder of an Owner's license;

2) Records of all investments, advances, loans and receivable balances, other than patron checks, due the establishment;

3) Record of all loans and other amounts payable by the holder of an Owner's license;

4) Record of all patron checks initially accepted by the holder of an Owner's license, deposited by the owner, returned to the owner as "uncollected" and ultimately written-off as uncollectible by the holder of an Owner's license;

5) Journal entries prepared by the holder of an Owner's license and the independent accountant selected by the

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

- Administrator;
- 6) Tax workpapers used in preparation of any state or federal tax return;
 - 7) Records which identify Table Drop, Table Win and percentage of Table Win to Table Drop for each live table game and those records accumulated for each type of live table game, either by shift or other accounting period approved by the Administrator;
 - 8) Records which identify the actual tokens-in, tokens-out, Electronic Gaming Device Drop, Electronic Gaming Device Win, Electronic Gaming Device Win to Electronic Gaming Device Drop and Theoretical Payout Percentage for each Electronic Gaming Device on a per day basis or other accounting period approved by the Administrator;
 - 9) Records supporting the accumulation of the costs for complimentary services and items. A complimentary service or item provided to patrons in the normal course of an owner's business shall be recorded at an amount based upon the full retail price normally charged for such service or item;
 - 10) Records which identify the purchase, receipt, and destruction of Gaming Chips and Tokens from all sources including receipts from bill changers;
 - 11) Records required to fully comply with all the Federal Financial Record-keeping requirements as enumerated in Title 31 C.F.R., Part 103-2;
 - 12) Records required by the holder of an Owner's license's Internal Control System; and
 - 13) Workpapers supporting the daily reconciliation of cash accountability; and
- 14) Any other records that the Administrator requires be maintained.
- e) If a holder of an Owner's license fails to maintain the records used by it to calculate the Adjusted Gross Receipts or the number of persons admitted on the Riverboat, the Administrator may compute and determine the amount upon the basis of an audit conducted by the Board based upon available information. 7-of-any-information within-the-Board's-possession-or-statistical-analysis

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1020 Standard Financial and Statistical Records

- a) The holder of the Owner's license, unless specifically exempted by the Administrator, shall file monthly, quarterly and annual reports of financial and statistical data.
- b) The Administrator shall periodically prescribe a set of standard reporting forms and instructions to be used in filing monthly, quarterly and annual reports.
- c) Annual reports shall be based on a calendar year beginning January 1

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

- and ending December 31. Quarterly reports shall be based on the calendar quarters ending March 31, June 30, and September 30. Monthly reports shall be based on calendar months. Quarterly and monthly reports shall contain a cumulative year-to-date column so as to facilitate analysis.
- d) The reports required to be filed pursuant to this Section shall be sworn to and signed by:
- 1) If from a corporation:
 - A) Chief Executive Officer; or and either the
 - B) Financial Vice President; or
 - C) Treasurer; or
 - D) Controller.
 - 2) If from a partnership, by a General Partner or and Financial Director;
 - 3) If from a sole proprietorship, by the proprietor; or
 - 4) If from any other form of business association, by the Chief Executive Officer.
- e) Reports shall be addressed to the Administrator and postmarked no later than the required filing date. The required filing dates are as follows:
- 1) Monthly reports shall be due on the 15th 30th calendar day of the following month;
 - 2) Quarterly reports shall be due on the 15th calendar day of the second month following the end of the quarter; and
 - 3) Annual reports shall be due on the 15th calendar day of the third month following the end of the year.
- f) In the event of a termination or suspension of the Owner's license license, voluntary or involuntary change in business entity or material change in ownership, the holder of an Owner's license shall file an interim quarterly report as of the date of occurrence of such event, unless such event has already been disclosed in a regular quarterly report or unless exempted by the Administrator. The filing date shall be thirty (30) calendar days after the date of occurrence of the event.
- g) Any adjustments resulting from the quarterly and annual audits required in Section 3000.1130 shall be recorded in the accounting records of-the-period-to-which-it-relates. In the event that the adjustments were not reflected in the holder of an Owner's license's quarterly or annual reports and the Administrator concludes the adjustments are significant, a revised report may be required from the holder of an Owner's license. The revised filing shall be due within thirty (30) calendar days after written notification to the holder of an Owner's license.
- h) Delays in mailing, mail pickups, and postmarking are the responsibility of the holder of an Owner's license.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

NOTICE OF ADOPTED AMENDMENT(S)

Section 3000.1030 Annual Audits and Other Reporting Requirements

NOTICE OF ADOPTED AMENDMENT(S)

Section 3000.1030 Annual Audits and Other Reporting Requirements

a) The Administrator shall direct an audit to be performed of the financial transactions and conditions of the total operations of a holder of an Owner's license including the Internal Control System required to be submitted in accordance with paragraph subsection (c) of Section 3000.320. The procedures set forth below are the minimum procedures that must be performed. Upon written notice by the Administrator, other procedures may be required. In conjunction with the audit, the independent certified public accountant selected by the Administrator shall perform the following procedures:

- 1) On a quarterly basis:
 - A) Evaluate the Internal Control System in order to report on material weaknesses in internal accounting controls. Whenever in the opinion of the independent certified public accountant, there exists no material weaknesses in internal accounting controls, the report shall so state;
 - B) Audit the respective quarter's Adjusted Gross Receipts in accordance with generally accepted auditing standards in order to report on the fair presentation of Adjusted Gross Receipts in conformity with generally--accepted--accounting principles Board Rules;
 - C) Observe "unannounced" the transportation and count of each of the following: Electronic Gaming Device Drop, Table Drop, and tip box. For purposes of these procedures, "unannounced" means that no officers, directors or employees of the holder of the Owner's license are given advance information, regarding the dates or times of such observations; and
 - D) Review the terms of contractual agreements, both oral and written, on a sample basis, with--suppliers in order to report on compliance with the terms of the contractual agreements and to determine that such contracts are not in excess of their fair market value; and
 - E) Report on any reportable conditions found during the quarterly procedures required by subsections (a)(1)(A) through (D) of this Section. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure, which would adversely affect the ability of the holder of an Owner's license to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements. Reportable conditions that are also material weaknesses shall be identified as such in the report. Nonreportable conditions discovered by the independent certified public accountant shall also be reported;
- 2) On an annual basis:

- A) Evaluate the holder of an Owner's license Internal Control System in order to report on compliance with the submitted Internal Control System approved by the Administrator. Whenever in the opinion of the independent certified public accountant, the holder of an Owner's license has deviated from the submitted Internal Control System approved by the Administrator or the accounts, records, and control procedures examined are not maintained by the holder of the Owner's license in accordance with the Act and these rules, the report shall enumerate such deviations, regardless of materiality, and such areas of the Internal Control System no longer considered effective, and shall make recommendations regarding improvements in the Internal Control System to the Administrator.
- B) Audit in accordance with generally accepted auditing standards the financial statements in order to report on the financial statements' fair presentation in conformity with generally accepted accounting principles.
- C) Report to the Administrator on reportable conditions found during the annual audit of the financial statements. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure, which would adversely affect the holder of an Owner's license's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements. Reportable conditions that are also material weaknesses shall be identified as such in the report. The quarterly reports required by subsection (a)(1)(A) of subsection--(a) of this Section shall be incorporated into this annual report. Nonreportable conditions discovered by the independent certified public accountant shall also be reported in a separate report.
- b) The holder of an Owner's license shall prepare a and send to the Administrator and to the independent certified public accountant a written response to the independent certified public accountant's reports required by subsections (a)(2)(A) and to (a)(2)(C) of this Section. The response shall indicate in detail the corrective actions taken. Such response shall be incorporated in the independent certified public accountant's report reports. These reports shall be incorporated into one report in a format prescribed by the Administrator.
- c) Three (3) copies of the reports required by subsection (a) above shall be received by the Board or postmarked, no later than the required filing date.
 - 1) Quarterly reports for the first three quarters shall be due not later than ninety (90) calendar days after the last day of the quarter.

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

- 2) Quarterly reports for the fourth quarter and the Annual annual reports shall be due not later than 120 calendar days after the last day of the calendar or fiscal year.
- 3) Delays in mailing, mail pickups and postmarking are the responsibility of the holder of an Owner's license.
- d) All of the audits and reports required by this paragraph subsection shall be prepared at the sole expense of the holder of an Owner's license.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1040 Accounting Controls Within the Cashier's Cage

- a) The assets for which the cashiers are responsible shall be maintained on an imprest basis. At the end of each shift, the cashiers assigned to the outgoing shift shall record on a cashier's count sheet the face value of each cashier's cage inventory item counted and the total of the opening and closing cashier's cage inventories and shall reconcile the total closing inventory to the total opening inventory. The cashiers shall sign the completed cashier's count sheet attesting to the accuracy of the information contained on the cashier's count sheet.
- b) At the conclusion of each day, at a minimum, a copy of the cashier's count sheet and related documentation shall be forwarded to the accounting department for agreement of opening and closing inventories, agreement of amounts thereon to other forms records, and documents required by this Section, and recording of transactions.
- c) All accounting controls within the cashier's cage shall conform with the approved Internal Control System as required under Section 3000.330.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1050 Procedures for Exchange of Checks Submitted by Gaming Patrons and Granting Credit

- a) Except as otherwise provided in this Section, no holder of an Owner's license shall cash any check, make any loan, or otherwise provide or allow to any person any credit or advance of anything of value or which represents value to enable any person to take part in Gaming activity. The failure to deposit for collection a negotiable instrument by the next banking day following receipt shall be considered an extension of credit.
- b) A holder of an Owner's license may extend credit to a patron under only in the manner(s) provided in its Internal Control System approved by the Administrator.
- c) The Internal Control System shall provide that:

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Each credit transaction is promptly and accurately recorded in appropriate credit records.
- 2) Coupon redemption and other complimentary distribution program transactions are promptly and accurately recorded; and
- 3) Credit may be extended only in a commercially reasonable manner considering the assets, liabilities, prior payment history, and income of the patron.
- d) No credit shall be extended beyond thirty (30) days. In the event that a patron has not paid a debt created under this Section within thirty (30) days, the holder of an Owner's license shall not further extend credit to the patron while this debt is outstanding.
- e) A holder of an Owner's license shall be liable as an insurer, for all collection activities on the debt of a patron, whether such activities occur in the name of the owner or a third party.
- f) The holder of an Owner's license shall provide to the Administrator a monthly report detailing credit issued and outstanding, collection activities taken and settlements of all disputed checks and disputed credit card charges.
- g) The value of Chips or Tokens issued to a patron upon the extension of credit, the receipt of a check or other instrument or via a complimentary distribution program shall be included in the computation of Gross Receipts.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1070 Tips or Gratuities

- a) No Gaming employee shall accept currency as a tip or gratuity from any patron.
- b) No Riverboat Gaming Operation key Person, employee, or boxperson, floorperson or any other Riverboat Gaming Operation employee who serves in a supervisory position shall solicit or accept any tip or gratuity. Riverboat Gaming Operation employee shall not accept any tip or gratuity from any player or patron of the Riverboat Gaming Operation where he is employed. No Riverboat Gaming Operation key person or employee shall solicit any such tip or gratuity. The holder of an Owner's license shall not permit any practices prohibited by subsection (a) above.
- c) All tips and gratuities allowed given to dealers shall be:
- 1) Immediately deposited in a transparent locked box reserved for that purpose. If Non-Value Chips are received at a Roulette table, the marker button indicating their specific value shall not be removed from the slot or receptacle attached to the outer rim of the Roulette wheel until after a dealer in the presence of a supervisor has converted them into Value Chips which are immediately deposited in a transparent locked box reserved for the purpose;

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

- 2) Accounted for by a recorded count conducted by a randomly selected dealer and a randomly selected non-gaming employee of the accounting department;
- 3) Placed in a pool for pro rata distribution among the dealers on a basis that coincides with the normal pay period, with the distribution based upon the number of hours each dealer has worked. Tips or gratuities from this pool shall be deposited into the holder of an Owner's license's payroll account. Distributions to dealers from this pool shall be made following the holder of an Owner's license's payroll accounting practices and shall be subject to all applicable state and federal withholding taxes.
- d) Upon receipt from a patron of a tip or gratuity, a dealer assigned to the Gaming table shall extend his arm in an overt motion, and deposit such tip or gratuity in the transparent locked box reserved for such purposer, and;
- e) State and Federal taxes shall be withheld on tips and gratuities received by employees.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1071 Deposits of Admission Tax and Wagering Tax

- a) Each holder of an Owner's license shall, with the consent of the Administrator, maintain an account at a designated financial institution capable of handling electronic fund transfers. The holder of an Owner's license shall also maintain on deposit a minimum account balance sufficient to cover all tax liabilities due under the Act.
- b) Both the Admission and the Wagering Taxes shall be paid via an Electronic Funds Transfer (EFT) system employing an Automated Clearinghouse Debit method (ACH-Debit).
- c) Deposits will be deemed to have been made in a timely manner when the appropriate account number and the required tax payment information is provided to the Administrator, no later than 12:00 p.m. Central Standard Time on the first day banks in Illinois are next open for business after the close of the business day upon which the liability was established.
- d) Each holder of an Owner's license shall, with the agreement of the Administrator, select a twenty-four (24) hour cycle that shall be defined as the business day for the purpose of establishing the tax liability.
- e) Minimum reporting requirements include daily number of admissions to Gaming excursions, Admission Taxes, daily Gross Receipts, Adjusted Gross Receipts and Wagering Tax and such other information as the Administrator may require. Authorization forms and detailed instructions will be provided by the Administrator.
- f) The Administrator will be responsible for calculating the allocation

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

of the Admission and Wagering Tax between the State and the unit of local government designated as the home dock of the Riverboat. Payments will be made quarterly by voucher/warrant, subject to appropriation.

g) In the event of a discrepancy or variance between records of the holder of an Owner's license and tax liability due to the State, the tax liability shall be satisfactory explanation by the holder of an Owner's license, shall be calculated by the Administrator on the basis of that record which yields for the State of Illinois the greater tax due.

h) The excess of funds in the State Gaming Fund will be determined by the Board based upon the difference between the State Gaming Fund balance and appropriations at the beginning of each fiscal year. Commitments shall include any outstanding share of admissions and wagering taxes due to the local governments. Funds generated by this Act shall be paid into the Education Assistance Fund by voucher/warrant, subject to appropriation.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1072 Cash Reserve Requirements

Each holder of an Owner's license shall maintain, in cash or cash equivalents, an amount sufficient to protect patrons against defaults in Gaming debts owed by the holder of an Owner's license. Cash equivalents are defined as all highly liquid investments with an original maturity of 3 months or less.

(Source: Amended at 17 Ill. Reg. 11510, effective July 9, 1993)

SUBPART K: SEIZURE AND DISCIPLINARY HEARINGS

Section 3000.1100 Coverage of Subpart

The rules contained in this Subpart shall govern all proceedings against a licensee.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1105 Duty to Maintain Suitability

All Board licensees have a continuing duty to maintain suitability for licensure. A Board license does not create a property right, but is a revocable privilege granted by the State contingent upon continuing suitability for licensure.

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1110 Board Action Against Licensee or Licensee

When notified of facts sufficient to support the seizure of a gaming device under the Act and Section 3000.282 or disciplinary action against a licensee under the Act or Section 3000.110, the Board may order the seizure of a gaming device(s) or take disciplinary action against a licensee. If the Board orders the seizure of a gaming device(s) or takes disciplinary action, it shall immediately notify the holder of the seized gaming device(s) of the seizure of the licensee of the disciplinary action taken. Notification shall be by certified mail. Included with such notification shall be a complaint for either seizure or disciplinary action.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1115 Complaint

The complaint shall include a statement of facts supporting the seizure or disciplinary action and the rule or statutory Section with violation of which the licensee is being charged. The complaint shall be accompanied by a certificate of service, demonstrating the date of service.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1120 Appearances

a) A licensee may be represented by an attorney who is licensed in Illinois. All attorneys who appear in a representative capacity on behalf of a licensee must file written notice of appearance setting forth:

- 1) The name, address and telephone number of the attorney(s);
- 2) The name and address of the licensee represented; and
- 3) An affirmative statement indicating that the attorney is licensed in Illinois.

b) Only individual attorneys may file appearances. Any attorney who has not filed an appearance may not address the hearing officer or sign pleadings.

c) A member in good standing of the bar of the highest court of any state or of any United States District Court may, upon motion, be permitted to argue or conduct a hearing in whole or in part.

d) An attorney may only withdraw his appearance upon written notice to the hearing officer.

e) A licensee may appear on his own behalf.

f) A partnership may be represented by a partner.

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1125 Answer

a) Service of Answer within twenty-one days from the date of service of the complaint, the licensee shall file his answer by serving copies thereof on the Administrator and Chief Legal Counsel at either the Board's Springfield or Cook County office. Service may be made by personal delivery, certified mail, postage prepaid, or overnight express mail. An answer shall be deemed filed on the date on which it is postmarked, or if personally delivered, the date received at the Board's office.

b) Answer shall include:

- 1) An admission or denial of each factual allegation in the statement of facts in the complaint; and
- 2) If the licensee denies any of the factual allegations, a revised statement of the denied factual allegations as he believes them to be true.

3) All answers must be verified. Such verification shall be notarized and shall include a certification in the following form:

The undersigned certifies that the statements set forth in this answer are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1126 Appointment of Hearing Officer

The Chairman of the Board may appoint a Board member or an Administrative Law Judge to conduct a hearing in accordance with this Subpart.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1130 Discovery

a) Upon written request served on the opposing party, a party shall be entitled to:

- 1) The name and address of any witness who may be called to testify on behalf of the opposing party; and
- 2) All documents or other materials in the possession or control of the opposing party, which the opposing party reasonably expects will be necessary to introduce into evidence. The licensee's burden of production includes those documents the licensee

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

reasonably expects to introduce into evidence either in his case-in-chief or in a rebuttal case.

- b) Discovery may be obtained only through written requests to produce witness lists, documents or other materials, as specified in subsection (a) of this Section. Witnesses and documents responsive to a proper request for production that were not produced shall be excluded from the hearing and additional sanctions or penalties may be imposed.

- c) Subpoenas for the attendance of witnesses may be served by the licensee only upon application to the hearing officer.

- 1) The licensee must show good cause, state the testimony to be elicited from a witness, why the evidence to which the testimony relates cannot otherwise be obtained, and state the reasons why the testimony is necessary and relevant.

- 2) An agent or employee of the Board may not be required to appear except under the procedures provided in this Section.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1135 Motions for Summary Disposition

The hearing officer may recommend a directed finding or summary judgment upon the filing of an appropriate motion by any party.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1140 Proceedings

- a) The licensee bears the burden of rebutting the charges contained in the complaint by clear and convincing evidence.

- b) All testimony shall be given under oath or affirmation.

- c) Both parties may present an opening statement on the merits. The Board proceeds first.

- d) The Board shall then present its case.

- e) Upon conclusion of the Board's case, the licensee may move for a directed finding. The hearing officer may hear arguments on the motion or may grant, deny or reserve decision thereon, without argument.

- f) If no motion of directed finding is made, or if such motion is denied or decision reserved thereon, the licensee may present its case.

- g) Each party may conduct cross-examination of adverse witnesses.

- h) Upon conclusion of the licensee's case, the Board may present evidence in rebuttal.

- i) If the Board presents rebuttal evidence, the licensee may present additional, non-cumulative, evidence in surrebuttal.

- j) Both parties may present closing argument. The licensee proceeds first, then the Board and thereafter the licensee may present rebuttal

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

argument.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1145 Evidence

- a) The hearing need not be conducted according to technical rules of evidence. Any relevant evidence may be admitted and shall be sufficient in itself to support a finding if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in a civil action.

- 1) If relevant, official Illinois Gaming Board records or certified copies thereof shall be admissible into evidence if such records tend to prove or disprove an allegation contained in the complaint.

- 2) Official Illinois Gaming Board records are documents either prepared by or provided to the Board for the purpose of conducting its regular business.

- b) The parties should, to the fullest extent possible, stipulate to all matters which are not or fairly should not be in dispute.

- c) The parties may make objections to evidentiary offers. When an objection is made, the hearing officer may receive the disputed evidence subject to a ruling at a later time.

- d) The hearing officer may take official notice of any generally accepted information or technical or scientific matter within the field of gaming, and any other fact which may be judicially noticed by courts of this State. The parties shall be informed of any information, matter or facts so noticed, including any staff memoranda or data, and shall be given reasonable opportunity to refute such information.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1146 Prohibition of Ex Parte Communication

No party or its representative shall communicate directly or indirectly with the hearing officer regarding any pending matter, except upon notice to and opportunity for all parties to participate.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1150 Sanctions and Penalties

- a) The hearing officer may impose sanctions and penalties if the hearing officer finds that a party has acted in bad faith, for the purpose of

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT(S)

delay, or has otherwise abused the hearing process. Such sanctions and penalties include but are not limited to default judgment or directed finding on one or more issues.

- b) If a licensee fails to testify on his own behalf with respect to any question propounded to him, the hearing officer may infer therefrom that such testimony or answer would have been adverse to the licensee's case.
- c) Failure of a licensee to appear at a hearing shall constitute an admission of all matters and facts contained in the complaint. In such cases the hearing officer may take action based upon such admission or upon any other evidence, including affidavits, without any further notice to the licensee.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

Section 3000.1155 Transmittal of Record and Recommendation to the Board

- a) The record shall consist of the following:
- 1) The Complaint, the Answer and all motions and rulings thereon;
 - 2) All evidence received;
 - 3) A statement of matters officially noticed;
 - 4) Offers of proof, objections and rulings thereon;
 - 5) The recommendations and any findings of fact and conclusions of law made by the hearing officer.
- b) Oral proceedings or any part thereof involving contested issues shall be recorded stenographically or by such other means as to adequately insure the preservation of such testimony or oral proceedings and shall be transcribed on request of any party. Said transcript shall be paid for by the requesting party.
- c) Upon conclusion of the hearing, the hearing officer shall issue to the Board and the licensee written findings of fact and conclusions of law and his recommendation as to seizure or disciplinary action. Findings and fact shall be based exclusively on the evidence and on matters officially noticed.
- d) Final Board Order
- 1) The Board shall review the entire record and shall render a written order including the bases for its decision.
 - 2) Copies of the final Board order shall be served on a licensee by personal delivery, certified mail or overnight express mail.
 - 3) A final Board order shall become effective upon personal delivery to a party or upon posting by certified or overnight express mail.

(Source: Added at 17 Ill. Reg. 11510, effective July 9, 1993)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act
- 2) Code Citation: 86 Ill. Adm. Code 530
- 3) Section Numbers: Adopted Action:
530.115 Amendment
530.125 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 67 1/2, pars. 401 et seq., as amended by P.A. 87-860 and P.A. 87-868, [320 ILCS 25/1 et seq.].

Effective Date of Amendment(s): July 8, 1993

- 5) Does this rulemaking contain an automatic repeal date? No
- 6) Does this amendment contain incorporations by reference? No
- 7) Date Filed in Agency's Principal Office: July 8, 1993
- 8) Notice of Proposal Published in Illinois Register:
Issue #11, March 12, 1993, 17 Ill. Reg. 3104
- 9) Has ICAR issued a Statement of Objections to these Amendments? No
- 10) Differences between proposal and final version: Pursuant to the request of ICAR, the following changes were made:

1. In Subsection 530.115(a)(2), changed the word "he" to "he or she".
2. Changed subsection numbers for Subsection 530.115(a)(1)(I) through (V), to 530.115(a)(1)(A) through (E).

Pursuant to the request of the Administrative Code Division of the Secretary of State, the following changes were made:

1. All changes in Authority Note were indicated by strike-outs and underscoring.
2. In Section 530.115(b)(1), the word "above" was inserted after "subsection (a)".
3. The Section source notes were changed to begin each Section source note with "(Source:".

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

12) Have all the changes agreed upon by the agency and ICAR been made as indicated in the agreement letter issued by ICAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment(s): This rulemaking amends the rules concerning pharmaceutical assistance in response to P.A. 87-860 and P.A. 87-868 under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. P.A. 87-868 amended the Act to change the amount of benefits that an applicant may receive in a State Fiscal year and the amount the Department may charge as a fee for participation in the program. Sections 530.115 and 530.125 are amended to implement these changes. P.A. 87-860 deleted Section 4(f) of the Act, and as a result Section 530.115(a)(4) was deleted.

16) Information and questions regarding this adopted amendment shall be directed to:

Constance W. Beard
Manager
Illinois Department of Revenue
Legal Services Bureau
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 785-8256

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 86: REVENUE

CHAPTER 1: DEPARTMENT OF REVENUE

PART 530

SENIOR CITIZENS AND DISABLED PERSONS PROPERTY TAX RELIEF AND PHARMACEUTICAL ASSISTANCE ACT

Section	Purpose of the Program
530.101	Definitions
530.105	Covered Prescription Drugs
530.110	Qualifications for Beneficiaries
530.115	Identification Card
530.120	Determination of Cost of Covered Prescription Drugs
530.125	Qualification of Pharmacies
530.130	Assignment and Coordination of Benefits
530.135	Payments to Qualified Pharmacies
530.140	Execution of Contracts
530.145	Limitation on Prescription Size
530.150	Inspection of Records
530.155	Establishment of Liens
530.160	Penalties
530.165	

AUTHORITY: Implementing the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act (Ill. Rev. Stat. 1991, ch. 67 1/2, pars. 401 et seq., as amended by P.A. 87-860 and 87-868) [320 ILCS 25/1 et seq.].

SOURCE: Adopted at 11 Ill. Reg. 20978, effective December 15, 1987; amended at 13 Ill. Reg. 1589, effective January 18, 1989; amended at 17 Ill. Reg. 11566, effective July 8, 1993.

Section 530.115 Qualifications for Beneficiaries

a)

1) In order to qualify for participation in the Program, each beneficiary must:

At) Be-be 65 years of age or older or disabled prior to January 1 of the year in which an application is filed. Or be the surviving spouse of such a claimant, who at the time of death received or was entitled to receive benefits pursuant to this Section, which surviving spouse will become 65 years of age within the 24 months immediately following the death of such claimant and which surviving spouse but for his or her age is otherwise qualified to receive a grant pursuant to this Section. (Section 4 of the Act) In addition to the statutory means of proof, proof of disability includes receipt of Railroad, Civil Service, and Veterans total disability benefits;

NOTICE OF ADOPTED AMENDMENT(S)

- B2) be domiciled in this State at the time he or she files the claim;
- C3) have a maximum household income of less than \$14,000.00;
- 4) ~~pay a fee to the Department equal to the additional grant provided for in Section 4(f) of the Act;~~
- D5) obtain an identification card from the Department; and
- E6) at the time the identification card is obtained, execute an assignment to the Department of all benefits which might be claimed under any private insurance plan(s) in purchasing covered prescription drugs.
- 2) ~~The fee to be charged by the Department for the identification card shall be equal to \$40 for persons with maximum household income below the official poverty line as defined by the United States Department of Health and Human Services and \$80 for all other persons. (Section 4(f) of the Act)~~
- 3) ~~Each beneficiary who pays \$40.00 for an identification card shall pay the first \$15.00 of prescription costs each month. Each beneficiary who pays \$80.00 for an identification card shall pay the first \$25.00 of prescription costs each month. (Section 4(f) of the Act)~~
- 4) ~~After a beneficiary receives \$800.00 in benefits during a State fiscal year, that beneficiary shall also be charged 20% of the cost of each prescription for which payments are made during the remainder of the fiscal year. (Section 4(f) of the Act)~~
- b) If two or more persons living in the same household are eligible to participate in the Program, ~~At all~~ the requirements of subsection (a) above must be met by each beneficiary. ~~7-and~~
- 2) ~~each beneficiary must contribute an amount equal to the amount which the household head is or would be otherwise entitled to as an additional grant for the purpose of obtaining an identification card;~~
- c) Persons who participate in some other program of public assistance which provides benefits similar to those provided for under ~~the~~ this Part may only participate in ~~the~~ this Program to the extent that the benefits provided for under the other program fall short of those provided for under ~~the~~ this Part.

(Source: Amended at 17 Ill. Reg. 11566, effective July 8, 1993)

Section 530.125 Determination of Cost of Covered Prescription Drugs

- a) From a survey to be conducted at least every 12 months, the Department shall determine the reasonable cost of covered prescription drugs for which payment is made. The survey shall be conducted for the purpose of determining the average professional fee charged by authorized pharmacies in the State of Illinois and the actual acquisition cost of covered prescription drugs. The survey will consist of audits of the business records, profit and loss statement and other pertinent data

NOTICE OF ADOPTED AMENDMENT(S)

- such as pharmacy type, location, hours of operation and floor area for dispensing drugs.
- b) The following broad categories or classifications of data will be collected and analyzed:
- 1) Personnel costs
 - 2) Direct prescription expenses
 - 3) Direct store expenses
 - 4) Overhead expenses
 - 5) Other direct costs
- c) The selection of pharmacies to be audited in this survey will be a systematic sample based upon geography, type of ownership, and level of services provided.
- d) As a part of the survey, the Department will also conduct a broad rate analysis of other similar private and governmental drug dispensing programs.
- e) The entire results will then be evaluated for an appropriate dispensing rate by the Department.
- f) The professional dispensing fee is \$3.30 per prescription for the period July 1, 1985, through August 10, 1986. For drugs dispensed on or after August 11, 1986, and prior to July 1, 1987, the professional dispensing fee is \$3.60 per prescription. The professional dispensing fee shall be adjusted as of July 1, 1987, and July 1 of each year thereafter in accordance with the results of the survey prescribed above.
- g) The reasonable cost of covered prescription drugs available to beneficiaries in the Program shall not exceed the cost of such drugs when dispensed to the general public.
- h) In the event that generic equivalents for covered prescription drugs are available at lower cost, the Department shall establish the maximum acquisition cost(s) for such covered prescription drugs at the lower generic cost.

(Source: Amended at 17 Ill. Reg. 11566, effective July 8, 1993)

NOTICE OF ADOPTED AMENDMENT(S)

1) The Heading of the Part: Business Corporation Act

2) Code Citation: 14 Ill. Adm. Code 150

<u>Section Numbers:</u>	<u>Adopted Action:</u>
150.20	Amendment
150.200	Amendment
150.210	Amendment
150.220	Amendment
150.240	Amendment
150.305	Repealed, New
150.400	Amendment
150.405	Amendment
150.420	Amendment
150.435	Amendment
150.470	Amendment
150.510	Amendment
150.520	Amendment
150.620	Amendment
150.621	New Section
150.700	New Section
150.705	New Section
150.710	New Section
150.720	New Section

4) Statutory Authority: Implementing and authorized by the Business Corporation Act of 1983 (Ill. Rev. Stat. 1991, ch. 32, pars. 1.01 et seq.) (805 ILCS 5/1.01 et seq.)

5) Effective Date of Amendment: July 15, 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? N/A

8) Date Filed in Agency's Principal Office: July 9, 1993

9) Notice of Proposal Published in Illinois Register:

17 Ill. Reg. 4167 - April 2, 1993

10) Has JCAR issued a Statement of Objections to these amendments? No

11) Differences between proposal and final version:

1. Deleted Section 150.700(a) and added an Agency Note to Section 150.700 which shall read as follows:

NOTICE OF ADOPTED AMENDMENT(S)

AGENCY NOTE: The Department shall employ the official comments of the Corporate Acts Advisory Committee of the Secretary of State of the Illinois Business Corporation Act of 1983 as guidelines in administering and interpreting the Act. Copies of the comments are available from:

Business Services Department
Office of the Secretary of State
Room 328, Howlett Building
Springfield, Illinois 62756
217/782-6961

2. Revised Section 150.700 to read as follows:

The annotations in the Illinois Business Corporation Act Annotated, with forms, Third Edition, as supplemented, copyright 1975 (no subsequent dates or editions), prepared by the Chicago Bar Association, to the extent that they continue to apply to those Sections of the Act which remain in effect, are also adopted and incorporated by referenced herein, pursuant to Section 5-75 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-75) {5 ILCS 100/5-75}. A copy of this book, in three volumes, is available for inspection in the Department's Springfield office or Chicago Bar Association, 321 South Plymouth Court, Chicago, Illinois 60604.

3. In the Table of Contents put a double space after the heading "BUSINESS CORPORATION Act" and the Subpart A heading.

4. In Subtitle A: heading, changed "REGULATIONS" to "REGULATION".

5. In Section 150.20 indented all definitions 10 spaces from the left margin.

6. In Section 150.305 in the language which was stricken through, a "s" was added to "refund". Also deleted the label "(a)" because it was not on file. The Source note was changed to read "Section repealed, new Section added at".

7. In Section 150.510(a)(2) changed "paragraph (b)" to "subsection (b)".

8. In Section 150.700(b) changed "ILSC" to "ILCS".

9. In Section 150.720(a)(1) & (2) corrected the labels by using 1/2 parenthesis in place of the period.

10. In Section 150.720 indented the lists of professions to the right 5 additional spaces.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

11. The indent level of the unlabeled paragraph at the end of Section 150.720(a) indented 5 spaces to the text level.
12. In Section 150.720(c)(2) referenced the Medical Practice Act with the Ill. Rev. Stat. citation and the ILCS citation.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace an emergency rule amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments:
These amendments are for clarification of procedures utilized in administering the Business Corporation Act.
- 16) Information and questions regarding these adopted amendments shall be directed to:
Robert B. Powers
Assistant Counsel
Office of the Secretary of State
298 Howlett Building
Springfield, Illinois 62756

The full text of the Adopted Amendments begins on the next page:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATE

PART 150

BUSINESS CORPORATION ACT

SUBPART A: HEARING PROCEDURES

Section	Applicability
150.10	Definitions
150.20	Right to Counsel
150.30	Appearance of Attorney
150.40	Special Appearance
150.50	Substitution of Parties or Attorneys
150.60	Commencement of Action; Notice of Hearing
150.70	Motions
150.80	Form of Papers
150.90	Conduct of Hearings
150.100	Record of Hearings
150.110	Invalidity
150.120	

SUBPART B: SALE AND RELEASE OF INFORMATION

Section	Annual List of Corporations
150.200	Monthly List of Corporations
150.210	Daily List of Corporations
150.220	Computer Access to Information
150.230	Abstracts of Corporate Record
150.240	Invalidity
150.250	

SUBPART C: ERRORS, REFUNDS, CORRECTIONS, ADJUSTMENTS AND ERRORS, OBJECTIONS, AND OTHER RELIEF

Section	Errors or Defects
150.300	<u>Refunds-and-Adjustments-of-Assessments</u> Financial Data as
150.305	<u>Support Documentation</u>
150.310	Invalidity

SUBPART D: NAMES

Section	Preliminary Determination of Availability
150.400	Final Determination of Availability
150.405	Response as to Basis of Unavailability
150.410	

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

150.415 Reconsideration Procedure
 150.420 Effect of Final Determination
 150.430 Availability of Names: Statutory Requirements
 150.435 Standards - Conflicting Names
 150.440 Distinguishable - Defined
 150.445 Matters not Considered
 150.450 Significant Differences
 150.455 Surnames
 150.460 Alphabet Names
 150.465 Government Affiliation
 150.470 Restricted and Professional Words
 150.475 Acceptable Characters of Print
 150.480 Invalidity

SUBPART E: SERVICE OF PROCESS ON THE SECRETARY OF STATE

Section
 150.500 Preamble
 150.510 Manner of Service
 150.520 Place of Service
 150.530 Payment of Fees
 150.540 Invalidity

SUBPART F: FEES, FRANCHISE TAX AND LICENSE FEES: ANNUAL REPORT

Section
 150.600 Payment of Fees, Franchise Tax and License Fee
 150.610 Definitions
 150.620 Annual Report
 150.621 Confidentiality of Annual Report Financial Data
 150.630 Shares Having a Par Value
 150.640 Invalidity

SUBPART G: INTERPRETIVE COMMENTS AND GENERAL PROVISIONS

Section
 150.700 Interpretive Comments Applicable Generally
 150.705 Paid-in Capital
 150.710 Advice to the Public
 150.720 Incorporating Licensed Professionals

AUTHORITY: Implementing and authorized by the Business Corporation Act of 1983 (Ill. Rev. Stat. 1991, ch. 32, pars. 1.01 et seq.) {805 ILCS 5}

SOURCE: Adopted at 9 Ill. Reg. 1433, effective February 1, 1985; amended at 10 Ill. Reg. 5146, effective March 21, 1986; amended at 11 Ill. Reg. 10302, effective June 1, 1987; amended at 17 Ill. Reg. 11571, effective July 9, 1993.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

NOTE: Statutory language is denoted by capital letters

SUBPART A: HEARING PROCEDURES

Section 150.20 Definitions

"Act" shall mean the Business Corporation Act of 1983, as amended (Ill. Rev. Stat. 1991, ch. 32, par. 1.01 et seq.) {805 ILCS 5}.

"Applicant" or "Petitioner" is the party who, by written request seeks or applies for any relief from the Department under the provisions of the Business Corporation Act of 1983, or otherwise from any rule, regulation, order, or determination of the Office.

"Contested case" means any adjudicatory proceeding conducted by the Office in which the legal rights, privileges, immunities, duties, or obligations of any person or party are required by law or regulation to be determined by the Secretary of State after an opportunity for a hearing.

"Department" means the Department of ~~Corporations~~ Business Services of the Office of the Secretary of State of Illinois.

"Director" means the Director or Acting Director of the Department.

"Division" means the Corporation Division of the Department.

"Hearing" means a proceeding conducted by the Department of ~~Corporations~~ Business Services of the Secretary of State in which the rights, privileges, immunities, duties or obligations of any person or party are required by law to be determined by the Secretary of State only after opportunity for a hearing.

"Hearing Officer" means the ~~Director of Corporations or his designee who is to preside at any hearing conducted by the Department of Corporations of the Secretary of State~~; the presiding official(s) designated by the Department of Business Services of the Secretary of State to conduct a hearing or anyone designated by the Department of Business Services to hear evidence. The hearing officer must be admitted to practice law in the State of Illinois and must be a member in good standing of the Bar of Illinois.

"Office" refers to the Office of the Secretary of State and not to any particular department, address, or location.

"Party" means any person named or admitted as a participant in any hearing conducted pursuant to these rules, including the Office and Department.

NOTICE OF ADOPTED AMENDMENTS

"Person" includes any individual, corporation, partnership, association, or firm legally capable of either seeking the action of the Office or being the subject of said action.

"Respondent" means a person against whom a complaint or petition is filed, or who, by reason of interest in the subject matter of a petition or application or the relief sought therein, is made a respondent or to whom an order or complaint is directed by the Department initiating a proceeding.

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

SUBPART B: SALE AND RELEASE OF INFORMATION

Section 150.200 Annual List of Corporations

a) The annual list of corporations shall contain the list of all corporations registered in the State of Illinois, both foreign and domestic during a calendar year, as shown on the records of the Department of Corporations Business Services of the Office of the Secretary of State.

b) All requests for the annual list shall be sent to the Director of the Department of Corporations Business Services at Room 328, Centennial Howlett Building, Springfield, Illinois 62756.

c) The fee for the annual list shall be \$38.00 \$75.00 and includes postage. The fee shall be paid by certified check or money order. No fee shall be charged to local governments or state departments or agencies.

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

Section 150.210 Monthly List of Corporations

a) The monthly list of newly formed corporations shall consist of the daily lists compiled for the previous calendar month. (Supp--to Ill. Rev. Stat. 1983 1991, ch. 32, par. 1.25) {805 ILCS 5/1.25}

b) Local governments or state departments, desiring to receive the monthly list of corporations shall request such list in writing, directed to the Director of the Department of Corporations Business Services, Room 328, Centennial Howlett Building, Springfield, Illinois 62756.

c) The fee for the monthly list shall be \$175.00 \$180.00 per year, payable by check or money order for a 12 month subscription or \$15.00 per month for the balance of a subscription term, unless a fee

NOTICE OF ADOPTED AMENDMENTS

exemption in Section 1.25 of the Business Corporation Act of 1983 (Supp--to Ill. Rev. Stat. 1983 1991, ch. 32, par. 1.01-et seq. par. 1.25) {805 ILCS 5/1.25} exists.

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

Section 150.220 Daily List of Corporations

a) The daily list of newly formed corporations, business and not-for-profit, shall be published by the Department of Corporations Business Services.

b) All requests to subscribe to the daily list for the term of one year from the date of request shall be sent to the Director of the Department of Corporations Business Services, Room 328, Centennial Howlett Building, Springfield, Illinois 62756.

c) The charge for the subscription to the daily list of corporations shall be \$318.00, payable by certified check or money order by all subscribers, except local governments or state departments and agencies.

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

Section 150.240 Abstracts of Corporate Record

a) An abstract of corporate record of a corporation shall consist of a hard copy print-out of the information shown on the computer records of the Department of Corporations Business Services of the Office of the Secretary of State.

b) All requests for abstracts of corporate records shall be in writing shall be sent to the Department of Corporations Business Services, Room 328, Centennial Howlett Building, Springfield, Illinois 62756. Attention: Abstracts.

c) The fee for each abstract of corporate record shall be \$5.00 \$2.00 and must accompany the written request.

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

SUBPART C: ERRORS, REFUNDS, CORRECTIONS, ADJUSTMENTS
AND ERRORS, OBJECTIONS, AND OTHER RELIEF

Section 150.305 Refunds-and-Adjustments-of-Assessments Financial Data as Support Documentation

NOTICE OF ADOPTED AMENDMENTS

A petition for a refund or for an adjustment of an assessment may be filed for amounts paid or for assessments made prior to July 1, 1984, provided such petition is filed within 3 years after the amount to be refunded was paid or the amount to be adjusted should have been assessed or paid, but in no event shall any petition for a refund or adjustment be filed for any payment or assessment made prior to July 1, 1981. (Ill. Rev. Stat. 1984 Supp. ch. 32, par. 1-17).

a) Any statement of correction which may result in a refund or adjustment of more than \$5,000.00 must be accompanied by a financial statement by a certified public accountant explaining in detail the financial and accounting basis for the petition. This statement must explain when, by whom, and through what process the original error or mistake was made, and the true financial facts at the time of original filing of documents by the corporation.

b) Internal Revenue forms for corporate taxes, state tax forms for corporate taxes, corporate balance sheets, and other corporate financial reports shall be submitted if requested by the Department to show the validity of the statements contained in the petition.

(Source: Section repealed, new Section added at 17 Ill. Reg. 11571, effective July 9, 1993)

SUBPART D: NAMES

Section 150.400 Preliminary Determination of Availability

Requests for searches of the records of the Secretary of State, Department of ~~Corporations~~ Business Services for a preliminary determination of the availability of a proposed name will only be accepted through the Springfield office of the Department. Requests may be made over the counter, by letter, or by telephone and will be answered by the same method; however, no more than three searches may be requested by a single telephone call. A preliminary determination of availability shall be informational only and shall not be deemed a final determination for any purpose.

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

Section 150.405 Final Determination of Availability

A final determination whether a proposed name is available as a corporate name shall be made only upon payment of the proper fees as listed in Section 15.10 of the Act (~~Supp.-to~~ Ill. Rev. Stat. ~~1983~~ 1991, ch. 32, par. 15.10) {805 ILCS 5/15.10} and the submission of a document required or permitted to be filed with the Secretary of State, stamped and filed with the Department of ~~Corporations~~ Business Services, which necessitates such a determination. (~~See Supp.-to~~ Ill. Rev. Stat. ~~1983~~ 1991, ch. 32, par. 4.05 to 4.25) {805 ILCS 5/4.05 to 5/4.25}

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

NOTICE OF ADOPTED AMENDMENTS

Section 150.420 Effect of Final Determination

A final determination under this subpart that a corporate name is available is concerned solely with the administrative convenience of the Department of ~~Corporations~~ Business Services, and does not warrant the name selected or guarantee the unqualified use of the name without regard to the rights of other parties. The Secretary of State does not pass upon the legality of a corporate name by merely permitting incorporation, qualification, reservation or registration under a name. A final determination of corporate name unavailability is not based on deceptiveness, confusing similarity or other such considerations derived from unfair competition and trademark law.

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

Section 150.435 Standards - Conflicting Names

A corporate name shall be distinguishable upon the record of the Secretary of State, ~~Corporation~~ Department of Business Services, from the corporate name or any assumed corporate name of any domestic or foreign corporation in existence and on record or from any name reserved or registered.

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

Section 150.470 Restricted and Professional Words

a) Words which are subject to restrictions on their use in a corporate name include, but are not limited to, the following and any variations thereof: Trust, Pawners, Cooperative, Housing, Architecture, Engineering, Accounting, Adjusting, Insurance, Medicine, Law, Land Surveying, Psychology, Bank, Bankers, Banking, Union, Surety, Underwriters, Escrow, or any licensed professional services.

b) However, "Banks", "Banker", or "Banking" may be used in a corporate name if, at the time of filing of the articles of incorporation, application for certificate of authority by a foreign corporation, or an amendment to either of these documents to change the corporate name, the corporation or incorporators give the Department a letter signed by the Commissioner of Banks and Trusts of Illinois granting permission to use these words, pursuant to the standards set forth in the Illinois Banking Act, Section 46. (Ill. Rev. Stat. 1991, ch. 17, par. 357) {205 ILCS 5/46}.

1) The corporation using any of these aforementioned words must not be engaged in the banking business, but may be a bank holding company.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- 2) The use of these words shall be allowed if the corporation is not doing financial business and the otherwise prohibited word is a person's proper name, e.g. "Robert Banks".

- c) The Department will prohibit the incorporation of corporations which seek to use names or have purposes which violate Section 3.05 and 4.05(a)(2) of the Act. This prohibition does not apply to names or purposes specifically authorized by these rules.

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

SUBPART E: SERVICE OF PROCESS ON THE SECRETARY OF STATE

Section 150.510 Manner of Service

- a) Any process, notice or demand to be served under this Part shall be made upon the Secretary of State, or the Director of the corporation Department of Business Services, or any employee of the Department designated by the Director to accept such service for him or her, in the following manner:

- 1) Service shall comply with the provisions of the Civil Practice Law in all respects: (Ill. Rev. Stat. 1983 1991, ch. 110, pars. 2-201 and 2-212) {735 ILCS 5/2-201 and 5/2-212}, the Federal Rules of Civil Procedure (28 USCA) or any administrative rules of service, as may be appropriate.

- 2) The affidavit of compliance required by Section 5.25 of the Business Corporation Act of 1983 to be appended to the process, notice or demand to be served, containing the information described in paragraph subsection (b) herein, shall be signed by the person instituting the action, suit or proceeding or by an attorney of record and the signature of the affiant, without more, shall constitute the affirmation or acknowledgment, under penalties of perjury, that the affidavit is the act or deed of the affiant and that the facts stated therein are true.

- b) The affidavit of compliance shall state:

- 1) the title of the court or administrative agency;
- 2) the title of the case, showing the names of the first named plaintiff and the first named defendant;
- 3) the number of the case;
- 4) the title of the instrument;

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- 5) the name of the corporation to be served;
- 6) the basis for service on the Secretary of State;
- 7) the address to which the instrument is to be sent (by registered or certified mail) by the affiant;
- 8) the name, address and telephone number of the attorney of record for the plaintiff or other affiant.

- c) The service of process in lawsuits against corporations is governed by Section 5.25 of the Business Corporation Act of 1983 (Ill. Rev. Stat. 1984-Supp. 1991, ch. 32, par. 5.25) {805 ILCS 5/5.25}.

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

Section 150.520 Place of Service

Service of any process, notice or demand made under this Part shall be had with the Corporation Department of Business Services either at Room 328, Centennial Howlett Building, Springfield, Illinois 62756, or at Room 426, 188 West Randolph Street, Chicago, Illinois 60601.

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

SUBPART F: FEES, FRANCHISE TAX AND LICENSE FEES: ANNUAL REPORT

Section 150.620 Annual Report

Pursuant to Section 14.05 of the Business Corporation Act of 1983; (Ill. Rev. Stat. 1985 1991, ch. 32, par. 14.05; as-amended) {805 ILCS 5/14.05}, the annual report of domestic or foreign corporation, to be filed in calendar year 1986 and thereafter, shall include the following information

- a) ~~the~~ the state or country under the laws of which the corporation is organized, the date of incorporation or qualification, and the period of its duration.

- b) ~~A brief statement of the principal business activity of the corporation in this state and the Federal Employer Identification Number assigned to the corporation by the Internal Revenue Service.~~

(Source: Amended at 17 Ill. Reg. 11571, effective July 9, 1993)

Section 150.621 Confidentiality of Annual Report Financial Data

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

The Secretary and the Department shall keep confidential all corporate revenue and expense data contained on annual reports and applications for certificates of authority to do business filed with the Department as required by Section 1.40 of the Act. Such information shall not be released to any person, entity, government agency, or corporation except upon presentation to the Department of a valid and certified court order, issued by a court with jurisdiction over the corporation whose report is sought, directing the Department to release reported information. Any fee for copies must be paid at the same time of request by the party seeking the report. (Such confidentiality is pursuant to Section 1.40 of the Act, because the financial information is being given to the Department in response to interrogatories on the annual report form and the forms for applying for a certificate of authority.)

(Source: Added at 17 Ill. Reg. 11571, effective July 9, 1993)

SUBPART G: INTERPRETIVE COMMENTS AND GENERAL PROVISIONS

Section 150.700 Interpretive Comments Applicable Generally

The annotations in the Illinois Business Corporation Act Annotated, with forms, Third Edition, as supplemented, copyright 1975 (no subsequent dates or editions), prepared by the Chicago Bar Association, to the extent that they continue to apply to those Sections of the Act which remain in effect, are also adopted and incorporated by reference herein, pursuant to Section 5-75 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-75) (5 ILCS 100/5-75). A copy of this book, in three volumes, is available for inspection in the Department's Springfield office, or Chicago Bar Association, 321 South Plymouth Court, Chicago, Illinois 60604.

AGENCY NOTE: The Department shall employ the official comments of the Corporate Acts Advisory Committee of the Secretary of State on the Illinois Business Corporation Act of 1983 as guidelines in administering and interpreting the Act. Copies of the comments are available from:

Business Services Department
Office of the Secretary of State
Room 328, Howlett Building
Springfield, Illinois 62756
(217) 782-6961

(Source: Added at 17 Ill. Reg. 11571, effective July 9, 1993)

Section 150.705 Paid-In Capital

The phrase "paid-in capital represented by such acquired shares" contained in Section 1.30(j) of the Act shall mean the cost or actual cost of the re-acquired shares paid by the corporation, or decrease in paid-in capital, to the corporation from the acquisition of shares. Except, that in the case of a

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

wholly owned subsidiary, which subsidiary is created and funded totally from the assets of the parent corporation, the merger of the subsidiary back into the parent corporation shall not result in the totalling of the paid-in capital of the parent and subsidiary corporations as to corporate funds or assets which were not created previously by one of the merging corporations and transferred to the other corporation. The surviving corporation must demonstrate by competent financial evidence presented to the Department what the history of the financial transactions are between the parent and subsidiary corporation. If the request of the corporation is denied, it may seek relief pursuant to Subpart A of this Part.

(Source: Added at 17 Ill. Reg. 11571, effective July 9, 1993)

Section 150.710 Advice to the Public

The Department staff will not provide legal advice to any member of the public concerning the Act, or the best or better words or phrases to place in the forms provided by the Department for use under the Act.

(Source: Added at 17 Ill. Reg. 11571, effective July 9, 1993)

Section 150.720 Incorporating Licensed Professionals

a) Authorized Corporate Structures

The following professionals may incorporate using only the corporate structures indicated on this list:

- 1) The Business Corporation or Professional Corporation Act may be used by these professions:

Profession

Statutory Reference

Roofer

Chapter 111, Section 7501
{225 ILCS 335}

Architecture

Chapter 111, Section 1301
et seq. {225 ILCS 305}

Professional Engineering

Chapter 111, Section
5201 et seq.
{225 ILCS 205}

Structural Engineering

Chapter 111, Section 6601
et seq. {225 ILCS 340}

Land Surveyors

Chapter 111, par. 3251
et seq. {225 ILCS 330}

NOTICE OF ADOPTED AMENDMENTS

Landscape ArchitectChapter 111, par. 8101
et seq. {225 ILCS 315}Pharmacist(Pharmacy may be if BCA, but
the pharmacist himself may
only be a PCChapter 111, par. 4121
et seq. {225 ILCS 85}Real Estate BrokerChapter 111, par. 5801,
et seq. {225 ILCS 455}Marriage and Family TherapistsChapter 111, par. 8351-1
et seq. {225 ILCS 55}Private Security Guard,Private Detectives, andPrivate Alarm Contractors(Person shall be PC if detective,but agency can be BCAChapter 111, par. 2651
et seq. {225 ILCS 445}Detection of Deception ExaminersChapter 111, par. 2401
et seq. {225 ILCS 430}Collection AgenciesChapter 111, par. 2001
et seq. {225 ILCS 425}

- 2) The Professional Corporation Act, in its statement of intent,
specifically states that it was enacted to allow licensed
professionals to use this form of corporate structure.

PROFESSIONAL CORPORATIONSSTATUTORY REFERENCEAthletic TrainerChapter 111, par. 7601
et seq. {225 ILCS 5}Barbers(BCA can be formed to own
barber shops, but licensed
barber can only form PC)Chapter 111, par. 1701-1
et seq. {225 ILCS 410/2}Cosmetologists(BCA can be formed to own
barber shops, but licensed
barber can only form PC)Chapter 111, par. 1703-1
et seq. {225 ILCS 410/3}EstheticianChapter 111, Section
1703A-1 et seq.
{225 ILCS 410/3A}

NOTICE OF ADOPTED AMENDMENTS

Nail TechniciansChapter 111, par. 1703C-1
et seq. {225 ILCS 410/3C}Funeral Directors/Embalmer(Any person can form a business
corporation to own a funeral home,
but the operation of a funeral home
is limited to a licensed funeral
director)Chapter 111, par. 2901
et seq. {225 ILCS 41}Speech-Language Pathologists and
AudiologistsChapter 111, par. 7901
et seq. {225 ILCS 110}Physicians, including osteopath
psychiatrist and chiropractorChapter 111, par. 4400-1
et seq. {225 ILCS 60}Dentists (Dental Hygienists)Chapter 111, par. 2301
et seq. {225 ILCS 25}PodiatristChapter 111, par. 4801
{225 ILCS 100}PsychologistChapter 111, par. 5351
et seq. {225 ILCS 15}Physical TherapistChapter 111, par. 4251
et seq. {225 ILCS 90}Occupational TherapistChapter 111, par. 3701
et seq. {225 ILCS 75}Clinical Social WorkersChapter 111, par. 6351
et seq. {225 ILCS 20}Interior DesignChapter 111, par. 8201
et seq. {225 ILCS 310}Nutritionists and DietitiansChapter 111, par. 8401-1
{225 ILCS 30}PharmacistChapter 111, par. 4121
et seq. {225 ILCS 85}NursesChapter 111, par. 3501
et seq. {225 ILCS 65}Public AccountantsChapter 111, par. 5500.01
et seq. {225 ILCS 450}

NOTICE OF ADOPTED AMENDMENTS

Shorthand Reporters

Chapter 111, par. 6201
et seq. {225 ILCS 415}

Veterinarians

Chapter 111, par. 7001
et seq. {225 ILCS 115}

Nursing Home Administrators

Chapter 111, par. 3651
et seq. {225 ILCS 70}

Attorneys

Chapter 110A, par. 721
{Supreme Court Rule 721}

Optometrist

Chapter 111, par. 3901
et seq. {225 ILCS 80}

Chiropractor

Chapter 111, par. 4400-1
et seq. {225 ILCS 60}

Doctors

Chapter 111, par. 4400-1
et seq. {225 ILCS 60}

This list was developed in coordination with the Department of Professional Regulation. The corporate purposes will include the following language prescribed in subsection (b) and (c) of this Section:

b) Required language in incorporation documents for Professional Corporations:

1) Names

A professional corporation shall adopt a name consisting of the full or last name of one or more of its shareholders; except that if not prohibited by law, rules of a regulating authority or the canons of ethics of the professional concerned, a professional corporation may adopt a fictitious name. If the corporation does adopt a fictitious name or continues to use the name of a deceased shareholder or the name of a member of a predecessor organization, it shall file with the county clerk of a predecessor organization, principal place of business is located under the Assumed Business Name Act (Ill. Rev. Stat. 1991, ch. 96, par. 3m et seq.) {805 ILCS 405}. It shall be permissible for a professional corporation to continue to use the name of a deceased shareholder for a period of one year after his death without recording the name of the corporation with the county clerk as hereinabove provided. A professional corporation may continue to use the name of a shareholder who voluntarily withdraws from the corporation if the

NOTICE OF ADOPTED AMENDMENTS

withdrawing shareholder files with the regulating authority his written permission for the continued use of its name by the professional corporation. This permission shall remain in effect until written revocation has been received by the regulating authority from the former shareholder.

The corporation name shall end with the word "Chartered" or "Limited" or the abbreviation "Ltd.", or with the words "Professional Corporation" or the abbreviation "Prof. Corp." or the initials "P.C."

2) Purpose

Professional Corporation: To practice the profession of rendering that type of professional service and services ancillary thereto.

Professional Service will be rendered from the following address: (address of the corporation)

3) Attorney's Under the Professional Service Corporation Act:

The Articles of Incorporation of a Professional Service Corporation which is to be engaged in the practice of law must also contain, in the Articles, the following statement:

"All shareholders shall be jointly and severally liable for the acts, errors and omissions of the shareholders and other employees of the corporation, arising out of the performance of professional services by the corporation while they are shareholders."

c) Required language in incorporation documents for Medical Corporations

1) Names

The corporate name shall end with the word "Chartered" or "Limited" or the abbreviation "Ltd." or the words "Service Corporation" or the abbreviation "S.C."

2) Purpose

Medical Corporation: To own, operate and maintain an establishment for the study, diagnosis and treatment of human ailments and injuries, whether physical or mental, and to promote medical, surgical and scientific research and knowledge; provided that medical or surgical treatment, consultation or advice may be given by employees of the corporation only if they are licensed pursuant to the Medical Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 1400-1 et seq.) {225 ILCS 60/1 et seq.}.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Advisory Councils

- 2) Code Citation: 89 Ill. Adm. Code 515

- 3) Section Numbers: Emergency Action:
 515.100 Amended
 515.110 New Section
 515.120 New Section
 515.130 New Section
 515.140 New Section
 515.150 New Section
 515.400 Amended
 515.410 New Section
 515.420 New Section
 515.430 New Section
 515.440 New Section
 515.450 New Section

- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434 et seq.) [20 ILCS 2405] and Sections 6.23 & 8 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 6.23 and 8) . [20 ILCS 5/6.23]; and the Bureau for the Blind Act (Ill. Rev. Stat. 1991, ch. 23, par. 3411 et seq.) [20 ILCS 2410/1 et seq.].

- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993

- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

- 7) Date filed in Agency's Principal Office: July 1, 1993

- 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act required immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

The changes to this Part also reflect changes to Illinois law, specifically the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434, et seq.) [20 ILCS 3405, et seq.] and the Civil Administrative Code (Ill. Rev. Stat. 1991, ch. 127, par. 6.23) [5 ILCS 5/6.23]. These state statutes govern the Rehabilitation Services Advisory Council and Statewide Independent Living Council and were also recently amended pursuant to the 1992 Amendments to the Rehabilitation Act.

- 9) A Complete Description of the Subject and Issues Involved:
 The amendments are being made pursuant to the 1992 Amendments to the Rehabilitation Act and pending amendments to the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434, et seq.) [20 ILCS 2405 et seq.] and the Civil Administrative Code (Ill. Rev. Stat. 1991, ch. 127, par. 6.23) [5 ILCS 5/6.23] regarding the composition, terms and duties of the Rehabilitation Services Advisory Council and the State Independent Living Council.

- 10) Are there any other amendments pending on this Part? No

- Section Numbers Proposed Action Illinois Register Citation
 11) Statement of Statewide Policy Objectives (if applicable):
 Not Applicable

- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warrner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
 T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

ILLINOIS REGISTER 11592 93
DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

515.450 General Provisions
EMERGENCY

SUBPART E: BLIND SERVICES PLANNING COUNCIL

Section 515.500 Blind Services Planning Council

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434) [20 ILCS 2405/3] and Sections 6.23 & 8 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 6.23 and 8) [20 ILCS 5/6.23 and 5/8]; and The Bureau for the Blind Act (Ill. Rev. Stat. 1989, ch. 23, par. 3411 et seq.) [20 ILCS 2410/1].

SOURCE: Adopted and codified at 7 Ill. Reg. 8127, effective June 24, 1985; amended at 8 Ill. Reg. 1975, effective February 1, 1984; amended at 12 Ill. Reg. 17942, effective October 24, 1988; amended at 15 Ill. Reg. 7211, effective April 26, 1991; emergency amendments at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days.

NOTE: Capitalization denotes statutory language.

SUBPART A: REHABILITATION SERVICES ADVISORY COUNCIL

Section 515.100 Rehabilitation Services Advisory Council
EMERGENCY

a)---The Rehabilitation Services Advisory Council (RSAC) is ESTABLISHED WITH THE PURPOSE OF ADVISING THE DIRECTOR OF THE DEPARTMENT OF REHABILITATION SERVICES (BERS) IN MATTERS CONCERNING DISABLED PERSONS AND THE PROVISION OF REHABILITATION SERVICES.

-----b)---POWERS AND DUTIES OF THE RSAC in respect to the operation of BERS include:

-----i)---Duties

-----A)---TO CONSIDER AND STUDY THE SUBJECT OF REHABILITATION as it relates to the programs and purpose of BERS.

11591 ILLINOIS REGISTER 93
DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 515
ADVISORY COUNCILS

SUBPART A: REHABILITATION SERVICE ADVISORY COUNCIL

Section 515.100 Rehabilitation Services Advisory Council
EMERGENCY

515.110 Powers and Duties
EMERGENCY

515.120 Composition
EMERGENCY

515.130 Meetings
EMERGENCY

515.140 Membership Terms
EMERGENCY

515.150 General Provisions
EMERGENCY

SUBPART B: CONSUMER ADVISORY COUNCILS

Section 515.200 Consumer Advisory Councils
EMERGENCY

SUBPART C: FACILITY ADVISORY COUNCILS

Section 515.300 Facility Advisory Councils
EMERGENCY

SUBPART D: STATEWIDE INDEPENDENT LIVING ADVISORY COUNCIL

Section 515.400 Statewide Independent Living Advisory Council
EMERGENCY

515.410 Composition
EMERGENCY

515.420 Meetings
EMERGENCY

515.430 Membership Terms
EMERGENCY

515.440 Powers and Duties
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

- b)---TO RECOMMEND TO THE DIRECTOR OF BORS EX-GRATIS
OWN INITIATIVE POLICIES AND PRACTICES WHICH
SHALL BE BUTY CONSIDERED AND
- c)---TO GIVE ADVICE OR MAKE RECOMMENDATIONS TO
THE GOVERNOR AND THE GENERAL ASSEMBLY WHEN
SO REQUESTED OR GRANT ORX INITIATIVE
- 2)---TO INVESTIGATE THE CONDUCT OF THE WORK OF BORS
AND TO HAVE ACCESS TO ALL DOCUMENTS AND EMPLOYEES
PERTAINING TO SUCH
- 3)---TO ADOPT BYLAWS NOT INCONSISTENT WITH LAW FOR
THE INTERNAL MANAGEMENT OF THE RSAC A COPY OF
WHICH IS TO BE FILED WITH THE DIRECTOR OF BORS
- 4)---TO ACT BY A SUBCOMMITTEE OR BY A MAJORITY OF THE
RSAC, IF THE BYLAWS SO PRESERVE
- 5)---TO KEEP MINUTES OF EACH MEETING WHICH SHALL BE
FILED WITH THE DIRECTOR OF BORS AND AVAILABLE FOR
PUBLIC REVIEW
- 6)---TO GIVE NOTICE OF THE TIME AND DATE OF EACH
MEETING TO THE GOVERNOR AND THE DIRECTOR OF BORS
TO PERMIT THE GOVERNOR AND THE DIRECTOR OF BORS
TO ATTEND MEETINGS AND TO BE HEARD UPON ANY
MATTER COMING BEFORE THE RSAC
- c)---The RSAC shall prepare and submit to the Director of
BORS such reports and findings as the Director may
request or as the RSAC deems fit
- d)---The RSAC SHALL CONSIST OF THIRTEEN (13) MEMBERS
APPOINTED BY THE GOVERNOR
- 1)---ONE (1) MEMBER SHALL BE DESIGNATED BY THE
GOVERNOR TO SERVE AS CHAIRPERSON
- 2)---THE CHAIRPERSON AND AT LEAST FIVE (5) OTHER
MEMBERS OF THE RSAC SHALL HAVE A RECOGNIZED
DISABILITY
- 3)---ONE OF THE MEMBERS SHALL BE AGE 60 OR OVER
- e)---Membership

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

- 1)---ALL TERMS SHALL BE FOR SIX (6) YEARS
- a)---VACANCIES SHALL BE FILLED FOR AN UNEXPIRED
TERM
- b)---MEMBERS OF THE RSAC SHALL SERVE UNTIL THEIR
SUCCESSORS ARE APPOINTED AND QUALIFIED
- 2)---MEMBERS SHALL SERVE WITHOUT COMPENSATION BUT
SHALL BE REIMBURSED FOR ACTUAL EXPENSES INCURRED
IN THE PERFORMANCE OF THEIR DUTIES
- f)---Meetings
- 1)---THE RSAC SHALL MEET AT LEAST FOUR (4) TIMES PER
YEAR AT TIMES AND PLACES DESIGNATED BY THE
CHAIRPERSON UPON TEN (10) DAYS WRITTEN NOTICE TO
THE MEMBERS
- A)---A schedule of these meetings shall
be developed so that public notice of the dates,
times and locations of the regularly scheduled
meetings will be posted at the beginning of the
calendar year at BORS administrative offices at
633 E. Adams, Springfield and 100 W. Randolph,
Chicago. Copies of the public notice will also
be provided to news media upon written or oral
request
- 2)---SPECIAL MEETINGS MAY BE CALLED BY THE CHAIRPERSON
OR FOUR (4) MEMBERS OF THE COUNCIL UPON SEVEN (7)
DAYS WRITTEN NOTICE TO THE OTHERS
- Public notice
of the date, time, location and agenda of any
special meeting will be posted at BORS
administrative offices at 633 E. Adams,
Springfield and 100 W. Randolph, Chicago at least
24 hours in advance of the meeting and in
accordance with Sections 2-02 and 2-03 of the
Open Meetings Act (Ill. Rev. Stat. 1987, ch. 103,
pars. 42-02 and 42-03)
- 3)---SEVEN (7) MEMBERS SHALL CONSTITUTE A QUORUM
- g)---Meetings shall be open to the public
- Meetings shall be open to the public, except that
meetings or portions of meetings may, upon a majority
vote of a quorum present be declared closed in

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

accordance with Sections 2 and 2a of the Open Meetings Act (Ill. Rev. Stat., 1987, ch. 102, pars. 42 and 42a):

-----h)---The proceedings of meetings may be recorded in accordance with Section 2-05 of the Open Meetings Act (Ill. Rev. Stat., 1987, ch. 102, par. 42-05) which allows any person to record a meeting required to be open unless a witness testifying before the Council refuses to testify on the basis of his or her testimony will be broadcast, televised or motion pictures will be taken during testimony. If such occurs, recording shall be prohibited.

The Rehabilitation Services Advisory Council (RSAC) is ESTABLISHED WITH THE PURPOSE OF ADVISING THE DIRECTOR OF THE Department of Rehabilitation Services (DORS) IN MATTERS CONCERNING INDIVIDUALS WITH DISABILITIES AND THE PROVISION OF REHABILITATION SERVICES.

(Source: Emergency Amendments at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days)

Section 515.110 Powers and Duties EMERGENCY

POWERS AND DUTIES OF THE RSAC in respect to the operation of DORS include:

- a) TO CONSIDER AND STUDY THE SUBJECT OF REHABILITATION as it relates to the programs and purpose of DORS;
- b) TO RECOMMEND TO THE DIRECTOR OF DORS, ON ITS OWN INITIATIVE, POLICIES AND PRACTICES WHICH SHALL BE DULY CONSIDERED;
- c) TO GIVE ADVICE OR MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL ASSEMBLY WHEN SO REQUESTED OR ON ITS OWN INITIATIVE;
- d) To investigate the conduct of the work of DORS, and for this purpose to have access, at any time, to all books, papers, documents, and records pertaining or belonging to DORS, and to require written or oral information from any officer or employee of DORS;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

e) TO ADOPT BYLAWS, NOT INCONSISTENT WITH LAW, FOR THE INTERNAL MANAGEMENT OF THE RSAC, A COPY OF WHICH IS TO BE FILED WITH THE DIRECTOR OF DORS;

f) TO ACT BY A SUBCOMMITTEE, OR BY A MAJORITY OF RSAC, IF THE BYLAWS SO PRESCRIBE;

g) TO KEEP MINUTES OF EACH MEETING WHICH SHALL BE FILED WITH THE DIRECTOR OF DORS AND AVAILABLE FOR PUBLIC REVIEW;

h) TO GIVE NOTICE TO THE TIME AND DATE OF EACH MEETING TO THE GOVERNOR AND THE DIRECTOR OF DORS, TO PERMIT THE GOVERNOR AND THE DIRECTOR OF DORS TO ATTEND MEETINGS, AND TO BE HEARD UPON ANY MATTER COMING BEFORE THE RSAC;

i) TO PREPARE AND SUBMIT TO THE DIRECTOR SUCH REPORTS AND FINDINGS AS HE/SHE MAY REQUEST OR AS THE COUNCIL DEEMS FIT and prepare and submit such reports and findings to the Governor and the Commissioner for the Rehabilitation Services Administration of the U.S. Department of Education;

j) TO SELECT JOINTLY WITH DORS A POOL OF QUALIFIED PERSONS TO SERVE AS IMPARTIAL HEARING OFFICERS;

k) To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with:

- 1) the functions performed by DORS and other public and private service providers; and
- 2) VR services provided, or paid for through DORS or any other source;

l) To coordinate the activity of the RSAC with the Independent Living Council (see 89 Ill. Adm. Code 515: Subpart D) and other advisory councils of DORS and the State Advisory Council on Education of the Handicapped, the Illinois Planning Council on Developmental Disabilities, the Planning Council on Mental Health, and other appropriate entities.

m) To provide for coordination and establishment of working relationship between DORS and the Statewide

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Independent Living Council and centers for independent living throughout Illinois; and

- n) To review the State Plans to be submitted to the Commissioner of the Rehabilitation Services Administration of the U.S. Department of Education.

(Source: Emergency Rules at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days)

Section 515.120 Composition
EMERGENCY

- a) The RSAC SHALL CONSIST OF 23 MEMBERS APPOINTED BY THE GOVERNOR AFTER SOLICITING RECOMMENDATIONS FROM REPRESENTATIVES OF ORGANIZATIONS REPRESENTING A BROAD RANGE OF INDIVIDUALS WITH DISABILITIES AND ORGANIZATIONS INTERESTED IN INDIVIDUALS WITH DISABILITIES.

- 1) THE GOVERNOR SHALL APPOINT TO THIS COUNCIL THE FOLLOWING:

- A) ONE REPRESENTATIVE OF A PARENT TRAINING CENTER ESTABLISHED IN ACCORDANCE WITH THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT.
- B) ONE REPRESENTATIVE OF THE CLIENT ASSISTANCE PROGRAM.
- C) ONE VOCATIONAL REHABILITATION COUNSELOR WHO HAS KNOWLEDGE AND EXPERIENCE WITH VOCATIONAL REHABILITATION PROGRAMS (IF AN EMPLOYEE OF DORS IS APPOINTED, THAT APPOINTEE SHALL SERVE AS AN EX OFFICIO, NON-VOTING MEMBER).
- D) ONE REPRESENTATIVE OF COMMUNITY REHABILITATION PROGRAM SERVICE PROVIDERS.
- E) FOUR REPRESENTATIVES OF BUSINESS, INDUSTRY, AND LABOR.
- F) EIGHT REPRESENTATIVES OF DISABILITY ADVOCACY GROUPS REPRESENTING A CROSS SECTION OF THE FOLLOWING:

a) THE RSAC SHALL MEET AT LEAST 4 TIMES PER YEAR AT TIMES AND PLACES DESIGNATED BY THE CHAIRPERSON UPON 10 DAYS WRITTEN NOTICE TO THE MEMBERS. A schedule of these meetings shall be developed so that public notice of

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- i) INDIVIDUALS WITH PHYSICAL, COGNITIVE, SENSORY, AND MENTAL DISABILITIES; AND
- ii) PARENTS, FAMILY MEMBERS, GUARDIANS, ADVOCATES, OR AUTHORIZED REPRESENTATIVES OF INDIVIDUALS WITH DISABILITIES WHO HAVE DIFFICULTY IN REPRESENTING THEMSELVES OR WHO ARE UNABLE, DUE TO THEIR DISABILITIES, TO REPRESENT THEMSELVES.

- G) ONE CURRENT OR FORMER APPLICANT FOR, OR RECIPIENT OF, VOCATIONAL REHABILITATION SERVICES.

- H) THREE REPRESENTATIVES FROM SECONDARY OR HIGHER EDUCATION.

- 2) In addition, THE CHAIRPERSON OF THE STATEWIDE INDEPENDENT LIVING COUNCIL CREATED UNDER SECTION 12a OF THE DISABLED PERSONS REHABILITATION ACT, THE CHAIRPERSON OF THE BLIND SERVICES PLANNING COUNCIL CREATED UNDER THE BUREAU FOR THE BLIND ACT, AND THE DIRECTOR OF REHABILITATION SERVICES SHALL SERVE AS EX OFFICIO MEMBERS.

- b) THE COUNCIL SHALL SELECT, from its voting membership, A CHAIRPERSON.

- c) THE CHAIRPERSON AND AT LEAST 11 OTHER MEMBERS OF THE COUNCIL SHALL HAVE A RECOGNIZED DISABILITY.

- d) ONE MEMBER SHALL BE A SENIOR CITIZEN AGE 60 OR OVER.

- e) A MAJORITY OF THE COUNCIL MEMBERS SHALL NOT BE EMPLOYEES OF DORS.

(Source: Emergency Rules at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days)

Section 515.130 Meetings
EMERGENCY

- a) THE RSAC SHALL MEET AT LEAST 4 TIMES PER YEAR AT TIMES AND PLACES DESIGNATED BY THE CHAIRPERSON UPON 10 DAYS WRITTEN NOTICE TO THE MEMBERS. A schedule of these meetings shall be developed so that public notice of

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

the dates, times, and locations of the regularly scheduled meetings will be posted at the beginning of the calendar year at DORS' administrative offices at 623 E. Adams, Springfield and 100 W. Randolph, Chicago. Copies of the public notice will also be provided to news media upon written or oral request.

- b) SPECIAL MEETINGS MAY BE CALLED BY THE CHAIRPERSON OR 7 MEMBERS OF THE COUNCIL UPON 7 DAYS WRITTEN NOTICE TO THE OTHER MEMBERS. Public notice of the date, time, location and agenda of any special meeting will be posted at DORS' administrative offices at 623 E. Adams, Springfield and 100 W. Randolph, Chicago at least 24 hours in advance of the meeting and in accordance with Sections 2.02 and 2.03 of the Open Meetings Act (Ill. Rev. Stat. 1991, ch. 102, pars. 42 and 42a) [5 ILCS 120/2.02 and 2.03].

- c) TWELVE MEMBERS SHALL CONSTITUTE A QUORUM.

- d) Meetings shall be open to the public, except that meetings or portions of meetings may, upon a majority vote of a quorum present be declared closed, in accordance with Sections 2 and 2a of the Open Meetings Act (Ill. Rev. Stat. 1991, ch. 102, pars. 42 and 42a) [5 ILCS 120/2 and 120/2a].

- e) The proceedings of meetings may be recorded in accordance with Section 2.05 of the Open Meetings Act (Ill. Rev. Stat. 1991, ch. 102, par. 42.05) [5 ILCS 120/2.05], which allows any person to record a meeting required to be open unless a witness testifying before the Council refuses to testify on the basis his or her testimony will be broadcast, televised or motion occurs, recording shall be prohibited.

(Source: Emergency Rules at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days)

Section 515.140 Terms of Membership
EMERGENCY

- a) The terms of all members appointed to the RSAC before the effective date of the 1993 amendments to the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 6.23) [20 ILCS 5/6.23] shall expire on July 1, 1993.

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

- b) THE MEMBERS FIRST APPOINTED UNDER the 1993 Amendments to the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 6.23) [20 ILCS 5/6.23] SHALL BE APPOINTED TO SERVE FOR STAGGERED TERMS BEGINNING JULY 1, 1993 AS FOLLOWS: 7 MEMBERS SHALL BE APPOINTED FOR TERMS OF 2 YEARS, AND 6 MEMBERS SHALL BE APPOINTED FOR TERMS OF 1 YEAR. THEREAFTER, ALL APPOINTMENTS SHALL BE FOR TERMS OF 3 YEARS.

- c) VACANCIES SHALL BE FILLED FOR THE UNEXPIRED TERM. MEMBERS SHALL SERVE UNTIL THEIR SUCCESSORS ARE APPOINTED AND QUALIFIED.

- d) NO MEMBER SHALL SERVE FOR MORE THAN 2 FULL TERMS. (Source: Emergency Rules at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days)

Section 515.150 General Provisions
EMERGENCY

- a) MEMBERS SHALL BE REIMBURSED FOR THEIR ACTUAL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES as members of RSAC, INCLUDING EXPENSES FOR TRAVEL, CHILD CARE, AND PERSONAL ASSISTANCE SERVICES, AND A MEMBER WHO IS NOT EMPLOYED OR WHO MUST FORFEIT WAGES FROM OTHER EMPLOYMENT SHALL BE PAID REASONABLE COMPENSATION FOR EACH DAY THE MEMBER IS ENGAGED IN PERFORMING THE DUTIES OF THE COUNCIL. For the purpose of payment, "reasonable compensation" shall be \$100.00 per day, but in no case shall the amount exceed income lost by the RSAC member who must forfeit wages as a result of his/her participation.

- b) NO MEMBER OF RSAC SHALL CAST A VOTE ON ANY MATTER THAT WOULD PROVIDE DIRECT FINANCIAL BENEFIT TO THE MEMBER or his/her immediate family, spouse, child, parent or other relative living in his/her household or OTHERWISE GIVE THE APPEARANCE OF A CONFLICT OF INTEREST UNDER ILLINOIS LAW.

- c) TO THE EXTENT THERE IS A DISAGREEMENT BETWEEN RSAC AND DORS REGARDING THE RESOURCES NECESSARY TO CARRY OUT THE FUNCTIONS OF RSAC AS SET FORTH IN the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 6.23 and 8) [20 ILCS 5/6.23], AND AS

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

PROVIDED IN OTHER LAW, THE DISAGREEMENT SHALL BE RESOLVED BY THE GOVERNOR.

(Source: Emergency Rules at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days)

SUBPART D: STATEWIDE INDEPENDENT LIVING ADVISORY COUNCIL

Section 515.400 Statewide Independent Living Advisory Council

EMERGENCY

a) THE DIRECTOR SHALL APPOINT AN INDEPENDENT LIVING ADVISORY COUNCIL CONSISTING OF 18 MEMBERS TO PROVIDE GUIDANCE FOR THE DEVELOPMENT AND EXPANSION OF INDEPENDENT LIVING PROGRAMS AND CONCEPTS ON A STATEWIDE BASIS.

b) The Council shall prepare and submit to the Department of Rehabilitation Services (DORS) a 5-year plan addressing the long-term goals and recommendations for the need for independent living services and programs within the State.

c) MEMBERSHIP

1) THE COUNCIL SHALL BE COMPOSED OF REPRESENTATIVES OF STATE AGENCIES, LOCAL AGENCIES AND NON-GOVERNMENTAL AGENCIES AND GROUPS CONCERNED WITH SERVICES TO DISABLED PERSONS, DISABLED PERSONS AND PARENTS OR GUARDIANS OF DISABLED PERSONS, DIRECTORS OF CENTERS FOR INDEPENDENT LIVING, REPRESENTATIVES OF PRIVATE BUSINESS, AND REPRESENTATIVES OF OTHER APPROPRIATE ORGANIZATIONS.

2) A MAJORITY OF THE MEMBERSHIP OF THE COUNCIL SHALL BE PERSONS WITH ONE OR MORE DISABILITIES.

3) THE CHAIRPERSON OF THE COUNCIL SHALL BE SELECTED FROM AND BY THE MEMBERSHIP AND SHALL ALSO SERVE AS A MEMBER OF DORS ADVISORY COUNCIL. (Section 12a of "AN Act in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat.: 1909, ch. 23, par. 3443a)).

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

d) TRAVEL EXPENSES INCURRED BY MEMBERS OF THE COUNCIL IN THE PERFORMANCE OF THEIR DUTIES SHALL BE REIMBURSED IN accordance with state travel regulations (80 Ill. Adm. Code 2808) FROM MONIES MADE AVAILABLE TO DORS UNDER PART A OF TITLE VII OF THE FEDERAL REHABILITATION ACT OF 1973 (29 U.S.C. 796).

e) A schedule of all meetings shall be developed so that public notice of the dates, times and locations of the regularly scheduled meetings will be posted at the beginning of the calendar year at DORS administrative offices at 623 E. Adams, Springfield and 100 W.

f) Randolph, Chicago: Copies of the public notice will also be provided to news media upon written or oral request.

g) Public notice of the date, time, location and agenda of each special meeting shall be posted at DORS administrative offices at 623 E. Adams, Springfield and 100 W. Randolph, Chicago at least 24 hours in advance of the meeting and in accordance with Sections 2-02 and 2-03 of the Open Meetings Act (Ill. Rev. Stat.: 1909, ch. 102, pars. 42-02 and 42-03).

h) Meetings shall be open to the public, except that meetings or portions of meetings shall, upon a majority vote of a quorum present, be declared closed, in accordance with Sections 2 and 2a of the Open Meetings Act.

i) All meetings of the council shall be physically and communicatively accessible to all persons with disabilities.

j) The proceedings of meetings may be recorded in accordance with Section 2-05 of the Open Meetings Act, which allows any person to record a meeting required to be open unless a witness testifying before the Council refuses to testify on the basis his or her testimony will be broadcast, televised or motion pictures will be taken during testimony. If such occurs, recording shall be prohibited.

k) Vote abstentions

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

EX-OFFICIO, NON-VOTING MEMBERS WHO SHALL NOT BE COUNTED IN THE MEMBERS APPOINTED BY THE GOVERNOR.

- c) THE COUNCIL SHALL ELECT A CHAIRPERSON FROM AMONG ITS MEMBERSHIP.

(Source: Emergency Rules at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days)

Section 515.420 Meetings
EMERGENCY

- a) Meetings shall be open to the public; except that meetings or portions of meetings may, upon a majority vote of a quorum present be declared closed, in accordance with Sections 2 and 2a of the Open Meetings Act (Ill. Rev. Stat. 1991, ch. 102, pars. 42 and 42a) [5 ILCS 120/2 and 120/2a].

- b) The proceedings of meetings may be recorded in accordance with Section 2.05 of the Open Meetings Act (Ill. Rev. Stat. 1991, ch. 102, par. 42.05) [5 ILCS 120/2.05], which allows any person to record a meeting required to be open unless a witness testifying before the Council refuses to testify on the basis his or her testimony will be broadcast, televised or motion pictures will be taken during testimony. If such occurs, recording shall be prohibited.

- c) A schedule of all meetings shall be developed so that public notice of the dates, times and locations of the regularly scheduled meetings will be posted at the beginning of the calendar year at DORS' administrative offices at 623 E. Adams, Springfield and 100 W. Randolph, Chicago. Copies of the public notice will also be provided to news media upon written or oral request.

- d) Public notice of the date, time, location and agenda of each special meeting shall be posted at DORS' administrative office at 623 E. Adams, Springfield and 100 W. Randolph, Chicago at least 24 hours in advance of the meeting and in accordance with Sections 2.02 and 2.03 of the Open Meetings Act (Ill. Rev. Stat.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

1) Council members shall abstain from any financial vote if the matter concerns a program where the council member is involved.

2) Council members shall abstain from voting many matters they feel may be a conflict of interest.

THE GOVERNOR SHALL APPOINT A STATEWIDE INDEPENDENT LIVING COUNCIL WHICH SHALL BE ESTABLISHED AS AN ENTITY SEPARATE AND DISTINCT FROM DORS.

(Source: Emergency Amendments at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days)

Section 515.410 Composition
EMERGENCY

- a) THE COMPOSITION OF THE COUNCIL SHALL INCLUDE THE FOLLOWING:

1) AT LEAST ON DIRECTOR OF A CENTER FOR INDEPENDENT LIVING CHOSEN BY THE DIRECTORS OF CENTERS FOR INDEPENDENT LIVING WITHIN THE STATE.

2) ONE OR MORE MEMBERS OF CENTERS FOR INDEPENDENT LIVING.

3) ONE OR MORE PARENTS OR GUARDIANS OF INDIVIDUALS WITH DISABILITIES.

4) ONE OR MORE ADVOCATES FOR INDIVIDUALS WITH DISABILITIES.

5) ONE OR MORE REPRESENTATIVES OF PRIVATE BUSINESS.

6) ONE OR MORE REPRESENTATIVES OF ORGANIZATIONS THAT PROVIDE SERVICES FOR INDIVIDUALS WITH DISABILITIES.

7) OTHER APPROPRIATE INDIVIDUALS.

- b) In addition, A REPRESENTATIVE OF DORS AND A REPRESENTATIVE OF EACH OF THE DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, THE DEPARTMENT ON AGING, THE STATE BOARD OF EDUCATION, AND THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES. ALL AS

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

1991, ch. 102, pars. 42.02 and 42.03) [5 ILCS 120/2.02 and 120/2.03].

- e) All meetings of the council shall be physically and communicatively accessible to all persons with disabilities.

(Source: Emergency Rules at 17 Ill. Reg. 11589, effective July 1, 1993 for a maximum of 150 days)

Section 515.430 Membership Terms
EMERGENCY

- a) AFTER SOLICITING RECOMMENDATIONS FROM ORGANIZATIONS REPRESENTING A BROAD RANGE OF INDIVIDUALS WITH DISABILITIES AND ORGANIZATIONS INTERESTED IN INDIVIDUALS WITH DISABILITIES THE GOVERNOR SHALL APPOINT MEMBERS OF THE COUNCIL FOR TERMS BEGINNING JULY 1, 1993. THE COUNCIL SHALL BE COMPOSED OF MEMBERS (i) WHO PROVIDE STATEWIDE REPRESENTATION; (ii) WHO REPRESENT A BROAD RANGE OF INDIVIDUALS WITH DISABILITIES; (iii) WHO ARE KNOWLEDGEABLE ABOUT CENTERS FOR INDEPENDENT LIVING AND INDEPENDENT LIVING SERVICES; AND (iv) A MAJORITY OF WHOM ARE PERSONS WHO ARE INDIVIDUALS WITH DISABILITIES WHO ARE NOT EMPLOYED BY ANY STATE AGENCY OR CENTER FOR INDEPENDENT LIVING. THE TERMS OF ALL MEMBERS OF THE INDEPENDENT LIVING ADVISORY COUNCIL WHO WERE APPOINTED FOR TERMS BEGINNING BEFORE JULY 1, 1993, EXPIRE ON JULY 1, 1993.

- b) EACH MEMBER OF THE COUNCIL SHALL SERVE FOR TERMS OF 3 YEARS, EXCEPT THAT (i) A MEMBER APPOINTED TO FILL A VACANCY OCCURRING BEFORE THE EXPIRATION OF THE TERM FOR WHICH THE PREDECESSOR WAS APPOINTED SHALL BE APPOINTED FOR THE REMAINDER OF THAT TERM AND (ii) TERMS OF THE MEMBERS INITIALLY APPOINTED AFTER THE EFFECTIVE DATE OF the 1993 Amendments to the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3443a) [20 ILCS 2405/12a] SHALL BE AS FOLLOWS: 6 OF THE INITIAL MEMBERS SHALL BE APPOINTED FOR TERMS OF ONE YEAR, 6 SHALL BE APPOINTED FOR TERMS OF 2 YEARS, AND 6 SHALL BE APPOINTED FOR TERMS OF 3 YEARS. NO MEMBERS OF THE COUNCIL MAY SERVE MORE THAN 2 CONSECUTIVE FULL TERMS.

- c) ANY VACANCY OCCURRING IN THE MEMBERSHIP OF THE COUNCIL SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

APPOINTMENT. THE VACANCY SHALL NOT AFFECT THE POWER OF THE REMAINING MEMBERS TO EXECUTE THE POWERS AND DUTIES OF THE COUNCIL.

(Source: Emergency Rules at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days)

Section 515.440 Powers and Duties
EMERGENCY

The council shall have the following duties:

- a) jointly with DORS, develop and submit to the Commissioner of the Rehabilitation Services Administration of the U.S. Department of Education (Commissioner) the Independent Living Plan for the State of Illinois;
- b) monitor, review, and evaluate the implementation of the State Plan for Independent Living;
- c) coordinate activities with the Rehabilitation Services Advisory Council;
- d) submit to the Commissioner such periodic reports as he/she may reasonably request, and keep such records, and afford such access to such records, as the Commissioner finds necessary to verify such reports;
- e) hold hearings and forums as it deems necessary to carry out the duties of the Council;
- f) prepare, in conjunction with DORS, a plan for the provision of resources, including staff and personnel, necessary to carry out the functions of the Council;
- g) have necessary exclusive staff to assist the Council in carrying out its duties and supervise and evaluate that staff; and
- h) TO APPOINT JOINTLY WITH DORS DIRECTOR A PEER REVIEW COMMITTEE TO CONSIDER AND MAKE RECOMMENDATIONS FOR GRANTS TO BE ELIGIBLE CENTERS FOR INDEPENDENT LIVING.

(Source: Emergency Rules at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Section 515.450 General Provisions
EMERGENCY

- a) MEMBERS SHALL BE REIMBURSED FOR THEIR ACTUAL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES, INCLUDING EXPENSES FOR TRAVEL in accordance with State Travel Regulations (80 Ill. Adm. Code 2800) from monies made available under Part B of Title VII of the Federal Rehabilitation Act of 1973, as amended, CHILD CARE, AND PERSONAL ASSISTANCE SERVICES, AND A MEMBER WHO IS NOT EMPLOYED OR WHO MUST FORFEIT WAGES FROM OTHER EMPLOYMENT SHALL BE PAID REASONABLE COMPENSATION FOR EACH DAY THE MEMBER IS ENGAGED IN PERFORMING THE DUTIES OF THE COUNCIL. For the purpose of payment, "reasonable compensation" shall be \$100.00 per day, but in no case shall the amount exceed the income lost by the Statewide Independent Living Council member who must forfeit wages as a result of his/her participation.

b) Vote absentions

- 1) Council members shall abstain from any financial vote if the matter concerns a program where the council member is involved.
- 2) Council members shall abstain from voting any matters they feel to be a conflict of interest.

(Source: Emergency Rules at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDM. NTS

1) Heading of the Part: Appeals and Hearings2) Code Citation: 89 Ill. Adm. Code 5103) Section Numbers:

<u>Section Numbers:</u>	<u>Emergency Action:</u>
510.5	New Section
510.10	Amended
510.20	Amended
510.30	Amended
510.40	Amended
510.50	Amended
510.60	Amended
510.70	Amended
510.80	Amended
510.90	Amended
510.100	New Section
510.105	Amended
510.110	New Section
510.120	

- 4) Statutory Authority: Implementing the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23) [20 ILCS 2405], and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16].

- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993

- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

- 7) Date filed in Agency's Principal Office: July 1, 1993

- 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act required immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS
PART 510
APPEALS AND HEARINGS

Section	Scope and Purpose
510.5 EMERGENCY	General Information
510.10 EMERGENCY	What May Be Appealed
510.20 EMERGENCY	What May Not Be Appealed
510.30 EMERGENCY	Grievant Rights
510.40 EMERGENCY	DORS' Rights
510.50 EMERGENCY	Service Notice
510.60 EMERGENCY	Conduct of Level I and Level-II Hearings
510.70 EMERGENCY	Level II Hearings
510.80 EMERGENCY	Level-II Hearings Officers
510.90 EMERGENCY	Director's Review Conduct of Level I Hearings
510.100 EMERGENCY	Conduct of Level II Hearings
510.105 EMERGENCY	Exhaustion-of-Administrative-Remedies Director's Review
510.110 EMERGENCY	Exhaustion of Administrative Remedies
510.120 EMERGENCY	

AUTHORITY: Implementing the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3429 et seq.) [20 ILCS 2405], and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16]

SOURCE: Adopted and codified at 7 Ill. Reg. 5230, effective April 1, 1983; amended at 7 Ill. Reg. 14526, effective October 19, 1983; amended at 9 Ill. Reg. 12325, effective July 30, 1985;

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

9) A Complete Description of the Subject and Issues Involved:
The 1992 Amendments to the Rehabilitation Act substantially revises the client appeals process. These changes are being made in response to the amendments.

10) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation
11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

peremptory amendment at 11 Ill. Reg. 6563, effective March 31, 1987; Part repealed, new Part adopted at 13 Ill. Reg. 15769, effective September 26, 1989; amended at 16 Ill. Reg. 8537, effective May 20, 1992; Emergency Amendments at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days.

regulation. The Level II Hearing Officer's decision is final, but subject to review by DORS' Director (see Section 510.110) after notice to the grievant, who will be given an opportunity to submit additional evidence and information relevant to the decision.

Section 510.5 Scope and Purpose
EMERGENCY

e) The Level II decision or Director's Review decision may be reviewed in court.

a) This Part governs the appeals process for clients of the Department of Rehabilitation Services (DORS). This Part covers hearings of grievances under various DORS programs. Therefore, care must be taken to read this Part in its entirety for exceptions to general provisions for specific types of hearings.

f) The grievant and DORS may informally agree to resolve disputed issues at any time during the appeal process prior to the issuance of a Level II hearing decision.

(Source: Emergency Rule Added at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.10 General Information
EMERGENCY

a) Definitions

For the purposes of this Part, the following terms shall have the following meanings:

"Client" means any individual who has requested, been referred to, applied for, or is receiving services from DORS (except from the Bureau of Disability Determination Services), or as appropriate a and the parent, family member, or guardian, advocate or duly authorized representative of the client. of the person of a minor or a court-appointed guardian of the person of an adult.

"Director" means the Director of DORS.

"DORS" means the Department of Rehabilitation Services and does not include any contractor, grantee, nominee agency, or service provider.

"Grievant" means any client; person who has been aggrieved by any action or inaction of DORS; is receiving services from DORS; has made application for DORS services; has been denied application for DORS services; has been referred to or has sought services from DORS; any person who has been determined by DORS to have

b) The Level I hearing is the first step in the appeals process and is designed to provide a client with a prompt informal review of a determination made in furnishing or denying of services to the grievant. The Level I hearing may result in a mutual resolution of the grievances. If no resolution is reached within the applicable time frames, the Level I Hearing Officer issues a brief written decision which is binding on DORS. If dissatisfied with that decision, the grievant may request a Level II hearing so that his/her grievance may be considered.

c) The Level II hearing is an appeal of a determination made by a counselor or other DORS officer or employee concerning the furnishing or denial of services or other appealable issues as listed in Section 510.20. If the grievant is a client of the Vocational Rehabilitation (VR) Program or a vendor in the Vending Facilities Program for the Blind, the Level II hearing may be the first step in the appeals process (see Section 510.10(b)).

d) The Level II hearing is a de novo adjudicatory proceeding which is conducted by an Impartial (Level II) Hearing Officer. The Level II Hearing Officer is responsible for considering the testimony and evidence presented by the grievant, or as appropriate a parent, family member, guardian, advocate or duly authorized representative of the client, and representatives of DORS and making a decision based upon the evidence and applicability of federal and state law and

NOTICE OF EMERGENCY AMENDMENTS

misspent funds, as specified in 89 Ill. Adm. Code 527: Recovery of Misspent Funds; or is an aggrieved licensed vendor, as specified in 89 Ill. Adm. Code 650: Vending Facilities program for the Blind who has been aggrieved by any action or inaction by DORS, or the parent or guardian of the person of a minor or a court appointed guardian of the person of an adult.

 "Hearing Officer" means a DORS employee appointed to conduct the Level I proceeding as set forth in Section 510.90 or an impartial Hearing Officer appointed to conduct the Level II proceeding as set forth in Section 510.90.

"Hearings Coordinator" means DORS' Manager - Division of Regulations and Procedures, who is responsible for communicating with grievants about their appeal requests, docketing and scheduling Level II hearings, and coordinating the appointment of Level II Hearing Officers.

"Inaction" means the failure of DORS to act within 60 calendar days on a citizen's referral of any individual for services or on a request for any change in service or to make an eligibility determination for a client who has applied for services within the time lines specified for the program to which he/she has applied or upon an application for services.

"IVH" means the Illinois-Visually-Handicapped Institute.

"Level I hearing" means a hearing at the first level of appeal by a grievant, as set forth in Section 510.9070 and presided over by a Level I Hearing Officer.

"Level I Hearing Officer" means the DORS employee who conducts the Level I hearing as set forth in Section 510.90(a).

"Level II hearing" means a hearing at the second level of appeal by a grievant, as set forth in Section 510.9080 and presided over by a Level II Hearing Officer.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

"Level II Hearing Officer" means an impartial Hearing Officer selected to conduct the Level II Hearing as set forth in Section 510.90(b).

"Personal representative" means an attorney, CAP representative or other individual designated by a grievant to act on the grievant's behalf in the proceedings contained in this Part, as set forth in subsection (b) (24) of this Section and Section 510.100(c)70(h).

"Schools" means the three schools which are operated by DORS: Illinois Center for Rehabilitation and Education-Roosevelt (formerly known as the Illinois Children's School and Rehabilitation Center), the Illinois School for the Deaf, and the Illinois School for the Visually Impaired.

"Services" means services provided directly or purchased by DORS as set forth in 89 Ill. Adm. Code: Chapter IV, Subchapters b7-e7, d7, and e7 (Vocational Rehabilitation (VR), Vocational Related Programs, d, Home Services Program (HSP) and e, Community and Residential Services for the Blind and Visually Impaired (CRSBVI) (CSVI)) Illinois-Visually-Handicapped Institute respectively and 89-III-Adm-Code h, 895 (Total Life Planning).

"Working Days" unless otherwise specified, means working days, i.e., Mondays through Fridays, excluding state established holidays or days on which government offices are closed by order of the Governor.

b) General Provisions

- 1) A grievant who is not satisfied with an action taken by DORS, or with the failure of DORS to take action, is entitled to a Level I hearing.
- 2) If the grievant is a client of the VR program or a licensed vendor in the Vending Facilities program for the Blind, a Level I hearing is optional. These grievants have the right to

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

request that the grievance first be heard at a Level II hearing.

- 3) Any and all notices and communications to DORS made pursuant to this Part should be in writing. Nonwritten communications will be accepted if the information required in 7, below, is provided. All nonwritten communications shall be documented by DORS.

~~1) Any and all notices and communications made pursuant to this Part must be in writing, unless the grievant is unable to communicate in writing. All nonwritten communications must be documented in the grievant's file.~~

~~2) A personal representative may exercise any right of the grievant on the grievant's behalf. A grievant may only designate one personal representative at any one time.~~

- 4) A grievant may appoint a personal representative in accordance with Section 510.40(e)(2), who may exercise any right of the grievant on the grievant's behalf. A grievant may only designate one personal representative at a time. The designation must be in writing.

- 35) All time periods related to communications arising under this Part commence on the date of receipt (receipt is presumed 45 days from the date of postmark or on the day of delivery for hand delivered items) or, if a nonwritten form of communication, on the date of receipt.

- 46) An appeals by any party person not a "grievant" cannot be heard by DORS pursuant to this Part.

- 7) The request for an appeal should include the specific determination and the date of the determination or, if appealing inaction, the date the action was requested, and specific identification of any other matter that is being appealed, but if this information is not readily available to the grievant, the grievant must supply sufficient information for DORS to

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

identify the specific action or inaction that is being appealed.

- 8) Should a grievant improperly request an appeal and other procedures for appeal are available, DORS will advise the grievant of the proper appeal process.

- 9) Failure of a grievant to follow procedures as set forth in this Part or failure to request an appeal within the specified time frames shall result in dismissal of the appeal except if the failure to follow procedure was a result of DORS failure to provide required notice or information.

- 10) DORS, and Department of Public Aid in the case of HSP Level II hearings, will assume all administrative costs of the appeal (i.e., interpreters, pursuant to Section 510.40(b), and record, pursuant to Section 510.80(f)) but will not assume costs personally incurred by the grievant because of the proceeding (e.g., legal fees, travel, witness costs, and room and board).

(Source: Emergency Amendments at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.20 What May Be Appealed EMERGENCY

The following may be appealed under this Part:

- a) DORS' refusal to provide any service which it is authorized to provide;
- b) modification of any service currently provided to the client by DORS, or termination of a service or case closure, unless agreed upon by the client and DORS;
- c) a determination that a client is ineligible for services;
- d) issues related to sex equity and DORS schools, set forth in 89 Ill. Adm. Code 829;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- e) refusal of the schools to permit modifications to a student's records, set forth in 89 Ill. Adm. Code 765.60 (a)(1);
- f) collection of misspent funds, set forth in 89 Ill. Adm. Code 527;
- g) inaction of DORS employees as defined in Section 510.10;
- h) dissatisfaction of a licensed vendor in the Vending Facilities Program for the Blind with any action of DORS arising from the administration of the Vending Facilities Program for the Blind;
- i) dissatisfaction of a client of the Community Services-for-Visually-Handicapped CRSEVI program; and
- j) matters concerning the conduct of clients in the adult residential training program for individuals with visual disabilities at the Illinois-Visually Handicapped Institute, as set forth in 89 Ill. Adm. Code 730, Subpart D.

(Source: Emergency Amendments at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.30 What May Not Be Appealed EMERGENCY

a) The following may not be appealed under this Part:

- 1a) changes in services or procedures over which DORS exercises no discretion or control;
- 2b) changes in services or procedures which are mandated by federal or state law or regulation;
- 3c) failure to provide services which DORS, in accordance with federal or state law, regulations, and the State VR Plan or other plans submitted to the federal government by DORS as a condition of receiving federal funding cannot provide;

- 4d) the establishment of, and provisions contained in, an Individualized Educational Program (IEP) and

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- other matters as governed by 89 Ill. Adm. Code: Chapter IV, Subchapter f (Educational Facilities), except as set forth in Section 510.20 (d) and (e);
 - 5e) all recommendations for decisions and procedures for the adjudication of benefits under the federal Social Security Act which are made by DORS under its authority from the United States Department of Health and Human Services, Social Security Administration, as set forth in 89 Ill. Adm. Code: Chapter IV, Subchapter g (Bureau of Disability Determination Services);
 - 6f) issues related to the legality of DORS' rules;
 - 7g) discipline of a vendor under the Vending Facilities Program for the Blind, as set forth in 89 Ill. Adm. Code 650;
 - 8h) student discipline, as set forth in 89 Ill. Adm. Code 827;
 - 9i) DORS findings relating to the evaluation of rehabilitation facilities, as set forth in 89 Ill. Adm. Code 530. Subpart A;
 - 10j) a grievance which has already been decided through the appeal process as set forth in this Part; and
 - 11k) an action taken by DORS which does not affect the grievant (e.g., a client wishing to appeal DORS terminating sponsorship of another client in training for failing to maintain the grade point average required in 89 Ill. Adm. Code 592.80);
 - 1) a grievance filed under the Americans with Disabilities Act (42 U.S.C. 12101); and
 - m) an appeal of a requirement to have a Teletypewriter/Telephone Device for the Deaf (TTY/TDD) as a condition of a contract.
- b) ---Should a grievant improperly request an appeal and other procedures for appeal are available, DORS will advise the grievant of the proper appeal process.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

-----e)-----Failure-of-the-grievant-to-follow-procedures-as-set forth-in-this-Part-or-failure-to-request-appeals within-the-specified-time-frames-shall-result-in dismissal-of-the-appeal-except-if-the-failure-to follow-procedure-was-a-result-of-DORS-failure-to provide-required-notice-or-information.

(Source: Emergency Amendments at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.40 Grievant Rights
EMERGENCY

a) DORS must make the grievant aware, in a language that is understandable to the grievant, of the right to appeal pursuant to this Part, at the following times or events:

- 1) upon application for services;¹
- 2) upon denial of application;²
- 3) after the initiation₁ or change₁ of services;²
- 4) upon termination of a service;²
- 5) upon closure;²
- 6) after a determination that funds have been misspent;²
- 7) upon enrollment in a DORS school;² and
- 8) upon entrance into the Vending Facilities Program for the Blind.

b)-----If-the-grievant-is-a-client-of-the-vocational rehabilitation-(VR)-program-or-a-licensed-vendor-in the-Vending-Facilities-Program-for-the-Blind;-a-level 1-hearing-is-optional;-the-person-has-the-right-to request-that-the-grievance-proceed-to-Level-II;-which hearing-shall-be-scheduled-within-45-days-of-the client's-request.

eb) The grievant may request an interpreter or reader, either sign (if the grievant is hearing

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

impaired relies on sign-language as his/her usual mode of communication) or language (if the grievant's normally spoken language is other than English), to attend the hearing. A visually impaired grievant may either request a reader to read materials provided by DORS in preparation for the hearing or request that the materials be provided in Braille, large print or audiotape. The request must be made within 2 working days of being informed of their rights under this Part, which should occur when the appeal is requested.

dc) All meetings with the grievant pursuant to this Part must occur at a time and location convenient to both parties.

e)-----All-proceedings-pursuant-to-this-Part-are-to-be confidential-and-not-open-to-the-general-public-unless requested-to-be-so-by-the-grievant.

fd) If the grievant is a client of the vocational rehabilitation-p VR Program, (89 Ill. Adm. Code: Chapter IV, Subchapter b), Home-Services-Program HSP, (89 Ill. Adm. Code: Chapter IV, Subchapter d), Community-Services-for-the-Visually-Handicapped CRSVI program, or Illinois-Visually-Handicapped Institute the adult training program for persons with visual disabilities (89 Ill. Adm. Code: Chapter IV, Subchapter e), DORS-must-inform the grievant of may have the right to the assistance of DORS' Client Assistance Program (CAP) in the preparation, and presentation and representation of the matters to be heard;. DORS must inform the client of this right at the time of request for services, application and referral for services and at service initiation or modification, and at closure, as well as when the grievant requests a hearing.

ge) After a request for a hearing is received by DORS, the grievant will be provided with written notification of his/her right to:

- 1) review the case file and other related documents;
- 2) be represented by a personal representative who-has-filed-an-appearance-with-DORS at a Level I hearing in accordance with Section

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

510.100(c) or at a Level II hearing by filing an appearance with the Hearings Coordinator, pursuant to Section 510.70(h)105(c);

3) an explanation of the appeal process as set forth in this Part;

4) ~~request an interpreter pursuant to subsection (c) of this Section (the request must be made within 2 days of being informed of these rights)~~;

54) decline to appear for a Level I or II hearing, in which case a review of the case file and any new evidence or information submitted by the grievant will be examined and a decision made based on that review by the Hearing Officer;

65) withdraw the appeal at any time during the process, in which case the grievant cannot request a reopening of the appeal;

76) a timely and impartial hearing;

87) confidentiality of these proceedings, as set forth in 89 Ill. Adm. Code 505.10 and pursuant to either subsection ~~510.100(a)~~ or 510.105(a);

98) a continuation of services, as set forth in Section 510.60 (e); and

109) have DORS employees involved in the appealed action present at the hearing, and to question them, with the exception listed in Sections 510.100(e)(4) and 510.105(g)(2).

(Source: Emergency Amendments at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.50 DORS' Rights
EMERGENCY

DORS has the right to:

a) refuse to hear appeals pursuant to Section 510.30;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- b) have a DORS attorney present at any hearing upon request;
- c) cooperation by the grievant;
- d) publish hearing summaries, with deletions as necessary to ensure confidentiality; and
- e) consolidate for hearing all issues relating to a grievant or to several grievants which arise out of the same set of facts and circumstances.

(Source: Emergency Amendments at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.60 Service Notice
EMERGENCY

a) This section applies to VR and HSP clients only.

b) When an individual applies for VR or HSP services from DORS, the individual must be informed that DORS notifies clients whenever it denies, modifies or terminates a service or services, if not mutually agreed upon; and of the right to action within 60 calendar days from request for an application. DORS must send the client a service notice at least 15 working days before the effective date of the action.

c) Any action mutually agreed upon must be so documented in the client's case file.

d) The service notice must:

- 1) contain the name, address and telephone number of the person to whom the request for the Level I or II hearing must be made (the supervisor of the staff who made the decision being appealed, or if that person was involved in the decision, that person's supervisor);
- 2) outline the action;
- 3) state the basis for the action;
- 4) give the effective date of the action; and

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 5) inform the client of the right to a Level I hearing in the matter or that if a client of the vocational rehabilitation program VR program chooses, he/she may proceed to Level II, and of the specific means of initiating the Level II hearing.

e) For issues related to the disposition of services during the hearings process termination, modification or change in existing services, the client must also be advised that DORS will continue to provide the disputed services until DORS final decision has been rendered unless the services being provided were obtained through misrepresentation, fraud, collusion or criminal conduct on the part of the client; the service has been planned but not commenced; or the client, or as appropriate, the client's parent, family member, guardian, advocate or duly authorized representative requests the service be terminated. (with-the exceptions noted in subsections (f) and (g)) until DORS final decision has been issued. Continuances in the proceedings shall not be issued for the purpose of extending services. or 100 days from the date of the service notice, whichever comes first. The length of time for any delay or continuance caused or requested by DORS or made by mutual agreement, will be added to the 100 day period during which services will continue. Any delays or continuances caused or requested by a grievant will not extend this period.

f) A service which is the subject of an appeal will not continue if the change is:

- 1) initiated by the client;
- 2) unilaterally initiated by a service provider other than DORS;
- 3) planned or authorized, but not commenced; or
- 4) contraindicated on the basis of medical or psychological information contained in the client's case record.

g) In no event will a disputed service continue past the planned ending date on the individualized written

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Rehabilitation-Program INDIVIDUALIZED WRITTEN REHABILITATION PROGRAM (IWRP) for VR and CRSBVI clients, or 100 days from the date of the service notice for HSP clients. For HSP clients, the length of time for any delay or continuance caused or requested by DORS, DPA, or made by mutual agreement, will be added to the 100 day period during which services will continue. Any delays or continuances caused or requested by a grievant will not extend this period.

(Source: Emergency Amendments at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.70 Conduct of Level I and Level-II

Hearings

EMERGENCY

a) A grievant may request a Level I hearing by asking DORS (e.g., counselor, supervisor, etc.) or by filling out a REQUEST FOR HEARING (IL 488-1948) and submitting it to DORS.

b) A grievant must request a Level I hearing within the following time limits:

- 1) for grievances relating to the VR Program or HSP, the request for a Level I hearing must be received within 15 working days of receipt of any written notice. Requests for hearings for grievances of issues for which notice has not been sent (e.g., DORS inaction) must be received within 15 working days of the date the grievant knew, or should have known, of the issue being grieved or 20 working days from the date of the postmark on the notice, if the client was informed by mail.
- 2) for grievances relating to bidding for an available vending facility location (89 Ill. Adm. Code 650.600), the request must be made within 5 working days of the date of receipt of the notice of selection by the grievant;
- 3) for grievances relating to the conduct of a client of the adult residential training program for persons with visual disabilities, the request

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

must be received within 2 working days after the grievant learns of the disciplinary action imposed; or

- 4) for grievances related to misspent funds, the grievant may request a hearing within 15 working days of the receipt of the written notice of intended recovery.

c) A request by a grievant of the VR Program for a Level I hearing signifies agreement to an extension of the federally mandated time period of 45 calendar days for the conclusion of a Level II hearing which times shall commence on the date the Level II hearing is requested.

d) The Level I hearing must be scheduled for between 10 and 15 working days of the date of receipt of request for the hearing at a time and date convenient to all parties. The grievant must be informed in writing by the Level I Hearing Officer, within 5 working days of receiving the request, of the date, time, location, name, address and telephone number of the Level I Hearing Officer, and of all rights accorded under this Part. The Level I hearing shall be held in the local DORS facility unless, in the request, the grievant indicates that, due to his/her disability, he/she cannot attend in the local DORS facility. If the grievant cannot attend the Level I hearing in the local DORS facility, the hearing shall be held in the grievant's home.

e) If the grievance pertains to the conduct of a client in the adult residential training program for persons with visual disabilities, the hearing must be scheduled between 3 and 5 working days after the date of receipt of request for the hearing. The grievant must be informed by the Level I Hearing Officer, within 2 working days after receiving the request for the Level I hearing, of the name and address of the Level I Hearing Officer, and of all rights accorded the grievant under this Part.

f) Within 10 working days after adjournment of the Level I hearing, the Level I Hearing Officer shall send the decision, in writing, to the grievant, or as appropriate, the parent, family member, guardian,

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

advocate or duly authorized representative and DORS Hearing Coordinator. The decision must contain:

- 1) a statement of the basis upon which the decision was made;
- 2) the applicable laws and policies used;
- 3) the name, address and telephone number of the DORS Hearing Coordinator; and
- 4) a statement that if the grievant is dissatisfied with the decision, a Level II hearing may be requested by submitting a request to the DORS Hearings Coordinator no later than 15 working days of the date the Level I hearing decision was received.

g) If the grievance pertains to the conduct of a client in the adult residential training program for persons with visual disabilities, within 2 working days after adjournment of the Level I hearing, the Level I Hearing Officer shall inform the grievant of the decision by telephone, and shall provide written confirmation to the grievant within 7 working days. The decision must contain:

- 1) a statement of the basis upon which the decision was made;
- 2) the applicable laws and policies used;
- 3) the name, address and telephone number of the DORS Hearing Coordinator; and
- 4) a statement that if the grievant is dissatisfied with the decision, a request for a Level II hearing must be received by the DORS Hearings Coordinator within 2 working days from the date of the telephone call on the Level I hearing decision.

-----a)-----Procedures-set-forth-in-the-Civil-Practice-Law-(Ill-Rev:-Stat:-1991;-ch:-110;-par:-2-101-et-seq;-)-do-not apply-to-the-procedures-contained-in-this-Part.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- b)---All hearings, as set forth in this Part, must be conducted in the following manner:
- i)---BORS employees directly involved in the contested action will be present to testify and can be questioned by the grievant. However, if such person is no longer employed by BORS and declines to attend the hearing after BORS has made a reasonable attempt to secure his/her attendance, the person most knowledgeable about the case will attend;
- 2)---a hearing will not be adjourned until the Hearing Officer has received all information agreed upon within the time the parties have agreed to provide it;
- 3)---only information bearing directly on the issue under review per Section 510-20 may be introduced from the grievant's case file. The Hearing Officer may not consider any information that has not been made available to the other party;
- 4)---either party may present additional information and evidence, which must also be made available to the other party;
- 5)---if the grievant has chosen to have a Level-I hearing and then requests a Level-II hearing, the Level-II hearing shall review only those issues presented by the grievant in the Level-I hearing or which are material and related to those presented in the Level-I hearing;
- 6)---the following is the order of proceedings:
- A)---presentation; argument and disposition of all preliminary motions and matters;
- B)---opening statements;
- C)---evidence presented by the grievant;
- D)---evidence presented by BORS;
- E)---rebuttal by either or both sides; and

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- f)---closing statements;
- c)---The grievant and BORS may call any person as a witness and conduct examinations and cross-examinations. The Hearing Officer may examine any of the witnesses at any time or request additional information from either party;
- d)---The grievant and BORS may, by stipulation, agree upon any facts or laws involved in the proceeding. The facts stipulated must be considered as evidence in the proceeding;
- e)---It is the grievant's responsibility to prove to the Hearing Officer that his/her position is correct; and the grievant shall be so informed prior to the Level-I and Level-II hearings;
- f)---BORS will assume all administrative costs of the appeals, i.e., interpreter, pursuant to Section 510-40(c); and record, pursuant to Section 510-90(f) but not costs personally incurred by the grievant because of the proceedings, e.g., legal fees, travel, witness costs, and room and board;
- g)---All parties involved in the hearing must avoid repetitive continuances so that the subject matter of the hearing may be resolved expeditiously. A hearing may for good cause shown (e.g., illness of the grievant, representative, or BORS employee or severe weather problems) be continued once by the Hearing Officer. Notice of the request must be given in writing to the other party and to the Hearing Officer no less than 3 days prior to the previously scheduled hearing date in the absence of an emergency (e.g., illness of the grievant, representative, or BORS employee or severe weather problems). If the grievance pertains to the conduct of a client of IVH, the notice must be given to the other party and to the Hearing Officer no less than 1 day prior to the previously scheduled hearing date in the absence of an emergency;
- h)---BORS and the Hearing Officer must be notified by the grievant of the appointment of a personal representative by filing, no later than 3 days in advance of a hearing, a notice of appearance stating

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

the personal representative's name, address and telephone number, identifying the grievant represented, and signed by the grievant. If the grievance pertains to the conduct of a client of IVHI, such notice must be made no later than 1 day in advance of the hearing. Such notice must be accompanied by appropriate consent for the release of confidential information to the personal representative, if one is not already in the file.

-----i)-----At least 3 days prior to the hearing, the grievant and the DORS staff person who has taken the action being appealed must provide each other and the Hearing Officer with a list of witnesses, copies of documents not in the possession of the other party, and a summary of the evidence which they plan to present at the hearing. If the grievance pertains to the conduct of a client of IVHI, such information must be shared at least 1 day prior to the hearing.

-----j)-----The Hearing Officer has the power to:

-----1)-----control the conduct of the hearing to prevent irrelevant or immaterial discussion (repetitive discussion or discussion not germane to the issue being appealed);

-----2)-----rule upon all motions and other matters arising in the course of the hearing, including, but not limited to, a party's motion or objection concerning the admissibility of evidence; and

-----3)-----require the parties, at any stage of any hearing or after all parties have completed the presentation of their evidence, to present further evidence including, but not limited to, the production of any and all documents, books, papers and accounts the Hearing Officer deems material or relevant to any issue.

-----k)-----Any relevant evidence presented which is of a type commonly relied upon by reasonably prudent individuals may be admissible, i.e., any information not presented in the hearing previously which pertains to the issues raised in the appeal and has been made available to both parties within the agreed-upon time.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

(Source: Emergency Amendments at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.80 Level II Hearings
EMERGENCY

a) If the grievant is not satisfied with the Level I decision, or has chosen not to request a Level I hearing pursuant to Section 510.10(b), he/she may request a Level II hearing through the Hearings Coordinator or by completing a REQUEST FOR HEARING (IL 488-1948) and presenting it to DORS.

b) A grievant must request a Level II hearing within the following time limits:

1) if the request is for a Level II hearing after a Level I hearing on the same matter, it must be received within 15 working days from the date of receipt of the Level I hearing decision;

2) if the request is for review of an action for which there has not been a Level I hearing, pursuant to Section 510.10(b), it must be received within 15 working days from the date the grievant receives notice, or knew or should have known of the issue being grieved or 20 working days from the date of the post mark on the notice, if the client was informed by mail;

3) if the request relates to an available vending facility location and there has not been a Level I hearing, it must be made within 5 working days of receipt by the grievant of the notice of selection;

4) if the grievance pertains to the conduct of a client in the adult residential training program for persons with visual disabilities, the request must be received within 2 working days after the date of the Level I hearing decision, and propose one date for the hearing which shall be within 5 working days after the request; or

5) if the issue involves collection of misspent funds, the request must be made within 35 calendar days from the receipt of the written

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

notice of the intent to recover per Section 8 of the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1991, ch. 127, par. 2308) [30 ILCS 705/8].

- c) The request must, except as set forth in Section 510.80(b)(4), propose 4 acceptable dates for the hearing which shall be within 20 working days of the request and state whether the grievant is unable to attend a hearing in the local DORS facility due to his/her disability, in which case it will be held in the grievant's home. If none of the dates is acceptable to DORS, the Hearings Coordinator will notify the grievant, or as appropriate, a parent, family member, guardian, advocate or duly authorized representative, to determine a mutually acceptable date. In no case shall the Level II hearing be scheduled later than 45 calendar days of the grievant's request.
- d) Within 5 working days of receipt of the request for a Level II hearing, DORS Hearings Coordinator shall send the grievant a letter, certified mail, return receipt requested:
 - 1) acknowledging the request for the hearing;
 - 2) stating the date, time and location for the hearing;
 - 3) stating the name and address of the individual who shall act as the Level II Hearing Officer, or, for Level II hearings arising from HSP, the address of the Department of Public Aid (DPA) Assistance Hearings Section which shall, pursuant to Medicaid Regulations, assign a Hearing Officer;
 - 4) containing a statement of the issue(s) being grieved; and
 - 5) informing the grievant of the rights accorded him/her under this Part.
- e) If the Level II hearing is held after a Level I hearing, only those issues presented at the Level I hearing shall be heard.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- f) DORS shall make an audio tape recording of the Level II hearing proceedings and will, upon request, provide one copy to the grievant at no cost. If an audio tape is not an accessible format for the grievant, upon request of the grievant, DORS shall prepare a transcript in an accessible format, and provide one copy of the transcript to the grievant at no cost.
- g) The official record of the Level II hearing shall consist of:
 - 1) all pleadings, motions, and rulings;
 - 2) evidence, including testimony and exhibits;
 - 3) a statement of matters officially noticed;
 - 4) offers of proof;
 - 5) objections and rulings thereon;
 - 6) the Level II Hearing Officer's decision; and
 - 7) if applicable, documents and decisions from a Director's Review (Section 510.110).
- h) For grievances arising from the VR Program, findings of fact and the decision, prepared by the Level II Hearing Officer, will be mailed within 15 working days after the adjournment of the Level II hearing.
- i) For grievances pertaining to the conduct of a client in the adult residential training program for persons with visual disabilities, the findings of fact shall be provided within 2 working days after the adjournment of the Level II hearing.
- j) For a grievance arising from the selection of a vendor for a vending location in the Vending Facilities Program for the Blind, the Level II Hearing Officer shall submit his/her recommended decision to the Director within 15 days of the date of adjournment of the Level II hearing. The recommendation shall be based upon the record of the hearing, citing applicable provisions of law and policy. The Director shall mail the final decision on the grievance to the grievant, and as appropriate, the grievant's

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

representative, within 5 working days of receiving the Level II Hearing Officer's recommendation. The Director's decision shall state the principal issues and relevant facts brought out at the Level II hearing, pertinent provisions in law and DORS policy, the reasoning that led to the decision, the right to appeal pursuant to Section 510.120(c), the effective date of the decision and have attached a copy of the Level II Hearing Officer's recommendation.

- k) For Level II hearings arising from HSP, in addition to the other provisions contained in this Part, the following procedures shall apply:

- 1) after receipt of the request for the Level II hearing, pursuant to Section 510.80(b)(1), the DORS Hearings Coordinator shall forward the request to the DPA Assistance Hearings Section which, pursuant to Medicaid Regulations, shall have administrative authority over all Level II hearings arising from HSP;
- 2) the Level II hearing shall be conducted by an Impartial Hearing Officer appointed by DPA;
- 3) DPA's rules, as set forth at 89 Ill. Adm. Code 104 et seq. shall apply, except 89 Ill. Adm. Code 104.10, 104.11, 104.20, 104.21(c), 104.70 and 104.80. All other rules contained in this Part shall apply to the extent they do not conflict with DPA's rules.
- 4) all notices and communications made pursuant to this Section must be in writing, unless the grievant is unable to communicate in writing. All non-written communication shall be directed to the DORS Hearings Coordinator who shall relay the communication to the DPA Assistance Hearings Section or DPA Impartial Hearing Officer, as appropriate. In such instances, the Hearings Coordinator shall document such communication in the grievant's hearing file.
- 5) the hearing shall be held in the local DPA office unless, because of the grievant's disability, the grievant is unable to attend the hearing in the

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

local DPA office. In such instances, the hearing shall be held in the grievant's home.

- 1) The decision of the Level II Hearing Officer shall be binding on DORS unless the Director sends a Notice of Intent to Review as specified in Section 510.110(a). DORS shall initiate implementation of the decision on the date specified in the decision, but no later than 20 calendar days of its receipt. No employee of DORS shall interfere with the implementation of the decision.
- a) ---A grievant who is not satisfied with an action taken by DORS is entitled to a Level I hearing. If a client of the vocational rehabilitation program chooses to have a Level I hearing, this request signifies agreement with an extension of the federally mandated time for a Level II hearing, per 34 CFR 361.48-(c)-(2), and the times shall commence on the date the Level II hearing is requested.
- b) ---The request must be received within 15 days of receipt of any written notice. Requests for hearings for grievances of issues for which notice has not been sent (e.g., DORS inaction) must be received within 15 days of the date the person knew, or should have known, of the issue being grieved. For grievances relating to an available vending facility location (89 Ill. Adm. Code 500.90), the request for a Level I hearing must be made within 5 days of receipt by the grievant of the notice of the selection. If the grievance pertains to the conduct of a client of IVHI, the request must be received within 2 days after the date the grievant learns of the disciplinary action imposed by IVHI.
- c) ---The Hearing Officer for a Level I hearing must be the supervisor of the DORS staff person who has taken the action being appealed, or that person's supervisor pursuant to Section 510.60-(d), except for hearings requested to modify school records (89 Ill. Adm. Code 765.60(a)(1)) and to resolve school sex equity issues (89 Ill. Adm. Code 829) which must be heard by the school's superintendent or designee. If the grievance pertains to the conduct of a client of IVHI, the Hearing Officer for a Level I hearing must be an

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

employee-designated-by-the-Deputy-Director-of-the
Bureau-of-Blind-Services:

- d)-----The-hearing-must-be-scheduled-for-between-10-and-15
days-of-date-of-receipt-of-request-for-hearing;-----The
grievant-must-be-informed-in-writing-by-the-Hearing
Officer; within-5-days-of-receiving-the-request;--of
the-date; time; location-of-the-hearing; name-and
address-of-the-Hearing-Officer-(for-requests-for
extensions);--and-of-all-rights-accorded-under-this
Part;--If-the-grievant-has-notified-DORS-of-his/her
inability-to-attend-a-hearing-at-the-local-DORS
facility;--it-may-be-held-in-the-grievant's-home.
- e)-----If-the-grievance-pertains-to-the-conduct-of-a-client
of-IVH; the-hearing-must-be-scheduled-between-3-and-5
days-after-the-date-of-receipt-of-request-for
hearing;--the-grievant-must-be-informed-by-the-Hearing
Officer; within-2-days-after-receiving-the-request;--of
the-date; time-and-location-of-the-hearing;--of-the
name-and-address-of-the-Hearing-Officer-(for-requests
for-extensions);--and-of-all-rights-accorded-under-this
Part;

- f)-----Within-10-days-after-adjudgment-of-the-Level-I
hearing-the-grievant-and-the-grievant's-representative
must-be-informed-of-the-decision-in-writing;--The
decision-must-contain:

- i)-----a-statement-of-the-basis-upon-which-the-decision
was-made;

- 2)-----the-applicable-laws-and-policies-used;

- 3)-----the-name-and-address-of-the-DORS-Hearings
Coordinator;--and

- 4)-----a-statement-that-if-the-grievant-is-dissatisfied
with-the-decision;--a-request-for-a-Level-II
hearing-must-be-received-by-the-Hearings
Coordinator-within-15-days-from-the-date-of
receipt-of-the-Level-I-hearing-decision-notice;

- g)-----If-the-grievance-pertains-to-the-conduct-of-a-client
of-IVH; within-2-days-after-adjudgment-of-the-Level
I-hearing-the-Hearing-Officer-shall-inform-the
grievant-of-the-decision-by-telephone;--and-shall

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

provide-written-confirmation-to-the-grievant-within-7
days-after-the-adjudgment-of-the-hearing.

- i)-----a-statement-of-the-basis-upon-which-the-decision
was-made;

- 2)-----the-applicable-laws-and-policies-used;

- 3)-----the-name; address;--and-telephone-number-of-the
DORS-Hearing-Coordinator;--and

- 4)-----a-statement-that-if-the-grievant-is-dissatisfied
with-the-decision;--a-request-for-a-Level-II
hearing-must-be-received-by-the-Hearing
Coordinator-within-2-days-from-the-date-of-the
telephone-call-on-the-Level-I-hearing-decision.

(Source: Emergency Amendments at 17 Ill. Reg. 11608, effective
July 1, 1993, for a maximum of 150 days)

Section 510.90 Level-II-HearingsHearing Officers
EMERGENCY

- a) The Level I Hearing Officer must be the supervisor of
the DORS staff person who has taken the action being
grieved, or that person's supervisor pursuant to
Section 510.60(d), except for hearings to modify
school records per 89 Ill. Adm. Code 765.60(a)(1) and
hearings to resolve school sex equity issues pursuant
to 89 Ill. Adm. Code 829 which must be heard by the
school superintendent or his/her designee or, if the
grievance pertains to the conduct of a client at the
adult residential training program for persons with
visual disabilities, the Level I Hearing Officer must
be the employee designated by the Deputy Director of
the Bureau of Blind Services to hear such grievances.

- b) A Level II hearing must be heard by an individual
randomly selected from the list of DORS' approved
Level II Hearing Officers and designated by the
Director except:

- 1) for grievances arising from modification of
school records or school sex equity, the Level II
Hearing Officer shall be the Deputy Director of
the Bureau of Rehabilitation Services or his/her
designee; and

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 2) for grievances arising from HSP, the Level II Hearing Officer shall be appointed by DPA.
- c) If the grievant believes the Level II Hearing Officer selected to conduct the hearing is biased against the grievant, or the parent, family member, guardian, advocate or duly authorized representative of the grievant, or has a conflict of interest, the grievant may make a written request to the Hearings Coordinator at least 5 days prior to the Level II hearing for removal of the individual thought to be biased or to have a conflict of interest and for assignment of another individual as the Level II Hearing Officer.
The request must be accompanied by an affidavit signed and dated by the grievant, or as appropriate, a parent, family member, guardian, advocate or duly authorized representative of the grievant, setting out specific facts upon which the claim of prejudice or conflict of interest is based.
- d) When an affidavit, as described in (c) above is received, the DORS Hearings Coordinator shall assign another individual to serve as the Level II Hearing Officer if it is determined by DORS Hearings Coordinator and other appropriate staff that prejudice or conflict of interest exists.
- e) The Level I and Level II Hearing Officer has the power to:
 - 1) control the conduct of the hearing to prevent irrelevant or immaterial discussion;
 - 2) rule upon all motions and other matters arising in the course of the hearing, including, but not limited to, a party's motion or objection concerning the admissibility of evidence;
 - 3) examine any of the witnesses at any time or request additional information from either party; and
 - 4) require the parties, at any stage of any hearing or after all parties have completed the presentation of their evidence, to present further evidence including, but not limited to,

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

the production of any and all documents, books, papers and accounts the Hearing Officer deems material or relevant to any issue.

- a) --- If the grievant is not satisfied with the Level I decision or has chosen not to request a Level I hearing, pursuant to Section 510-40(b), she/he may request a Level II hearing. If the request is for a review of a Level I hearing, it must be received within 15 days from the date of receipt of the Level I hearing decision. If the request is for review of an action where there has not been a Level I hearing, pursuant to Section 510-40(b), it must be received within 15 days from the date the grievant receives notice or should have known of the issues being grieved, or if the request relates to an available vending facility location and there has not been a Level I hearing, it must be made within 5 days of receipt by the grievant of the notice of selection. The request must also state if the grievant is unable to attend a hearing at the DORS local office, in which case it will be held in the grievant's home, and propose 4 acceptable dates for the hearing which dates shall be within 20 days of the request. However, if the issue involves collection of misspent funds, the grievant has 35 calendar days from the date of the Level I hearing decision to request a Level II hearing (Section 8 of the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1991, ch. 127, par. 2308)).
- b) --- If the grievance pertains to the conduct of a client of IVHI, the request must be received within 2 days after the date of the Level I hearing decision, and propose one date for the hearing which date shall be within 5 days after the request.
- c) --- Within 5 days of receipt of the request for a Level II hearing, the DORS Hearings Coordinator must send the grievant a letter acknowledging the request for a hearing, selecting one of the dates offered by the grievant, affirming the location of the hearing, stating the Hearing Officer's name and address and informing the grievant of all rights accorded pursuant to this Part.
- d) --- If the grievance pertains to the conduct of a client of IVHI, within 1 day after receipt of the request for

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

a-Level-II-hearing,-the-Hearings-Coordinator-must acknowledge-the-request-for-a-hearing,-select-a-date,-affirm-the-location-of-the-hearing-and-inform-the grievant-of-all-rights-accorded-pursuant-to-this-Part.

-----e)-----The-hearing-must-be-heard-by-an-impartial-Hearing Officer-selected-by-the-Hearings-Coordinator-from-the list-maintained-by-him/her,-in-hearings-concerning student-records-and-sex-equity,-the-Hearing-Officer will-be-the-Deputy-Director-of-the-Bureau-of Rehabilitation-Services-or-designee.

-----f)-----DORS-will-make-an-audio-tape-recording-of-the proceedings-and-will-provide-one-copy-to-the-grievant upon-request,-at-no-cost,-.Upon-request-by-a-visually impaired-grievant,-one-copy-of-either-a-braille-or large-print-transcript-will-be-provided-at-no-cost.

-----g)-----The-testimony-and-exhibits-constitute-the-official record-of-the-hearing.

-----h)-----Findings-of-fact-and-the-decision,-prepared-by-the Hearing-Officer,-will-be-mailed-within-15-days-after the adjournment-of-the-hearing,-with-the-exception-of appeals-by-licensed-vendors-in-the-Vending-Facilities Program-for-the-Blind,-.If-the-grievance-pertains-to the-conduct-of-a-client-of-IVHI,-the-findings-of-fact and-the-decision,-prepared-by-the-Hearing-Officer, shall-be-provided-within-2-days-after-the-adjournment of-the-hearing,-.The-decision-must-state-the-principal issues-and-relevant-facts-brought-out-at-the-hearing,- the-pertinent-provisions-in-law-and-DORS-policy-and the-State-Plan-(as-appropriate),-the-reasoning-that led-to-the-decision,-the-provisions-for-the-Director's review-as-set-forth-in-Section-510-100,-and-any-appeal rights-or-procedures-that-may-be-available,-.This decision-must-be-sent-by-Certified-Mail,-return receipt-requested,-to-the-grievant,-.A-copy-of-the decision-will-also-be-sent-to-the-Director-and-the grievant's-representative,-if-any.

-----i)-----For-appeals-initiated-by-a-licensed-vendor-in-the Vending-Facilities-Program-for-the-Blind,-the-Hearing Officer-shall-provide-the-Director-with-his/her recommendations-within-15-days-of-adjournment-of-the Level-II-hearing,-.The-recommendations-shall-be-based upon-the-record-of-the-hearing,-citing-applicable

DEPARTMENT OF REHABILITATION SERVICES

93

NOTICE OF EMERGENCY AMENDMENTS

provisions-in-law-and-policy,-.The-Director-shall-mail his/her-decision-to-the-grievant-within-5-days-of receiving-the-Hearing-Officer's-recommendations,-.The Director's-decision-shall-state-the-principal-issues and-relevant-facts-brought-out-at-the-hearing,- pertinent-provisions-in-law-and-DORS-policy,-the reasoning-that-led-to-the-decision,-the-right-to appeal-per-Section-510-110(c),-and-have-a-copy-of-the Hearing-Officer's-recommendations-attached.

-----j)-----For-Level-II-appeals-initiated-by-a-grievant-under-the Home-Services-Program,-the-following-procedures-apply:

-----i)-----the-hearing-shall-be-conducted-by-an-impartial Hearing-Officer-appointed-by-the-Department-of Public-Aid-{"BPA"};

-----2)-----BPA's-hearing-rules,-as-set-forth-at-89-III.-Adm.-Code-104-et-seq.-, shall-apply,-except-that:

-----A)-----Sections-510-10(b),-510-40(e),-(e),-(f),-and (g),-(5),-(8),-(9),-and-(10),-510-50,- 510-70(e),-(f),-and-(i),-510-90(f),-and 510-100,-set-forth-in-this-Part-shall-apply rather-than-any-similar-BPA-Rule,-including specifically-BPA-Rules,-Sections-104-10,- 104-11,-104-20,-104-21(e),-104-70-and 104-80,-and

-----B)-----Other-rules-set-forth-in-this-Part, specifically-Sections-510-20,-510-30,- 510-40(a),-(d),-and-(g),-(1),-(2),-(3),-(4), (6),-and-(7),-510-60-and-510-90-(g),-shall apply-to-the-extent-they-do-not-conflict with-BPA-hearing-rules;

-----3)-----the-appeal-must-be-filed-with,-and-received-by,- DORS-Hearings-Coordinator-within-15-days-from-the date-of-receipt-of-the-Level-I-hearing-decision;

-----4)-----DORS-shall-send-the-request-to-the-DPA-Assistance Hearings-Section;

-----5)-----the-grievant-must-direct-all-nonwritten communications-relevant-to-the-hearing-to-the DORS-Hearings-Coordinator,-who-shall-relay-them to-the-DPA-Hearing-Officer;

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

-----6)---the hearing shall be held at the grievant's home unless the grievant requests that the hearing be held at the DORS office nearest the grievant; and

-----7)---the hearing shall be scheduled and a decision mailed by certified mail, return receipt requested, within 60 days from the date of filing of the appeal in accordance with Section 104-70(b) of DPA rules (89 Ill. Adm. Code 104-70(b)). The decision shall be mailed by the Hearing Officer to the grievant, with copies to the DORS Hearings Coordinator and the grievant's representative, if any.

(Source: Emergency Amendments at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.100 Director's Review Conduct of Level I Hearings

EMERGENCY

a)---The Director may choose to review any Level II decision, except for an appeal brought by a licensed vendor in the Vending Facilities Program for the Blind, by issuing a Notice of Intent to Review within 10 days. If the grievance pertains to the conduct of a client of IVHI, the Notice of Intent to Review shall be issued within 7 working days. The scope of such review shall include, but is not limited to, the consistency of the Hearing Officer's finding with applicable law and regulations.

-----i)---The DORS Hearings Coordinator and appropriate program staff will review the grievant's case file and the transcript of the Level II hearing, and make a recommendation to the Director regarding a Level II decision which is thought to be:

-----A)---in violation of constitutional, statutory, regulatory, or written policy;

-----B)---in excess of the statutory authority of DORS;

-----C)---affected by other error of law, regulation, or written policy;

-----B)---not reasonably supported by the evidence; or

-----E)---arbitrary, capricious, or characterized by abuse of or clearly unwarranted exercise of discretion.

-----2)---If the Director determines that a review is necessary, based on the recommendations made in subsection (a)(1) of this Section, the Notice shall be sent to the grievant, who shall be informed of the right to submit additional written evidence and arguments to the Director. Such additional evidence and arguments must be received within 10 days of receipt of the Notice. If the grievance pertains to the conduct of a client of IVHI, such additional evidence and arguments must be received within 7 days after receipt of the Notice.

-----b)---The Director's decision, citing the findings and grounds, must be mailed within 30 calendar days of the Notice. If the grievance pertains to the conduct of a client of IVHI, the Director's decision, citing the findings and grounds, must be mailed within 12 calendar days after the Notice. This decision must be sent by Certified Mail, return receipt requested, to the grievant.

-----c)---The Director may modify, reverse or uphold the Hearing Officer's decision. This decision is based upon review of the client's case file, the Level II decision, the Level II record, the Hearing Officer's submitted by the grievant.

a) Every proceeding pursuant to this Section is to be confidential and not open to the general public unless the grievant so requests.

b) The Level I hearing is an informal review of the decision with the goal of mutually resolving the issues being appealed. Procedures set forth in the Code of Civil Procedure (Ill. Rev. Stat. 1991, ch. 110, par. 1-101 et seq.) [735 ILCS 5] do not apply.

c) The grievant may choose to have a personal representative present at the hearing.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- d) All parties involved in the hearing must avoid delay so that the subject matter of the grievance may be resolved expeditiously. A hearing may for good cause shown (e.g., illness of the grievant, representative or DORS employee involved in the action or severe weather) be continued by the Level I Hearing Officer. In the absence of an emergency, a request for a continuance must be made to the other party and the Hearing Officer no later than 3 working days prior to the original hearing date. In the absence of an emergency if the grievance pertains to the conduct of a client of the adult residential training program for persons with visual disabilities, the notice must be provided to the other party and the Hearing Officer no less than 1 working day prior to the original hearing date.

e) Evidence

- 1) The relevant portions of the case file may be introduced into evidence, and DORS must provide a copy to the grievant 3 working days before the hearing. However, only information from the grievant's case file bearing directly on the issue under review, per Section 510.20, may be considered.
- 2) Either party may present information and evidence in addition to the case file, which must also be made available to the other party at least 3 working days prior to the hearing or by stipulation at the hearing. If the grievance pertains to the conduct of a client of the adult residential training program for persons with visual disabilities, such information must be shared within 1 working day prior to the hearing.
- 3) The Level I Hearing Officer may not consider any information that has not been made available to the other party. The parties may stipulate as to the admissibility of evidence not submitted to the other party at least 3 working days prior to the hearing.
- 4) DORS employees directly involved in the contested action will be present to testify and can be questioned by the grievant. However, if such

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

person is no longer employed by DORS and declines to attend the hearing after DORS has made a reasonable attempt to secure his/her attendance, the person most knowledgeable about the case will attend.

- 5) The grievant and DORS may call any person as a witness who may have relevant information.
- f) The grievant shall have the responsibility to prove by a preponderance of the evidence that the action or inaction by DORS was unlawful, against DORS policy, not in accordance with the grievant's IWRP (89 Ill. Adm. Code 572) or HSP Service Plan (89 Ill. Adm. Code 700), or inappropriate for the client. The Level I Hearing Officer shall inform the grievant of this requirement at the beginning of the hearing.
- g) The proceedings should be conducted in the following manner:
 - 1) an opening statement by the hearing officer explaining the process and the purpose of the Level I hearing;
 - 2) determination and clarification of the issues and consideration of any other preliminary matter;
 - 3) a fair and complete presentation and discussion of all the evidence, both written and oral, which is related to, and addresses, the issues, by the grievant and DORS;
 - 4) summary of positions by the grievant and DORS if requested;
 - 5) closing statement by the hearing officer, which will provide an opportunity to discuss settlement or agree on a course of action.
 - h) A hearing will not be adjourned until the Level I Hearing Officer has received all information agreed upon within the time the parties have agreed to provide it.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

i) The Level I Hearing Officer may take one of several courses of action, which include, but are not limited to the following:

- 1) negotiate a course of action which is mutually agreed upon by the grievant and DORS to resolve the matter in dispute, which shall be written up as a settlement agreement, including a withdrawal of the appeal;
- 2) accept a settlement of the issues agreed to by the grievant and DORS, which must include a written withdrawal of the appeal;
- 3) issue a decision finding in favor of the grievant in whole or in part;
- 4) issue a decision upholding the determination or action of DORS in whole or in part; or
- 5) accept a withdrawal of the appeal confirmed in writing signed by the grievant, or, as appropriate, by a parent, family member, guardian, advocate, or duly authorized representative of the grievant.

(Source: Emergency Amendments at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.105 Conduct of Level II Hearings
EMERGENCY

- a) Every proceeding pursuant to this Section is to be confidential and not open to the general public unless requested to be so by the grievant.
- b) Procedures set forth in the Code of Civil Procedure (Ill. Rev. Stat. 1991, ch. 110, par. 1-101 et seq.) [735 ILCS 5], except as provided in subsection (g) of this Section, do not apply to the procedures contained in this Section.
- c) The grievant must notify DORS Hearings Coordinator of the appointment of a personal representative by filing, no later than 3 working days in advance of a hearing, a notice of appearance stating the personal representative's name, address and telephone number.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

identifying the grievant represented, and signed by the grievant. If the grievance pertains to the conduct of a client of the adult residential training program for persons with visual disabilities, such notice must be made no later than 1 working day in advance of the hearing. Such notice must be accompanied by appropriate consent for the release of confidential information to the personal representative, if one is not already on file.

- d) At least 3 working days prior to the hearing, the grievant and the DORS staff person who has taken the action being grieved must provide each other and the Hearing Officer with a list of witnesses, copies of documents not in the possession of the other party, and a summary of the evidence which they plan to present at the hearing. If the grievance pertains to the conduct of a client of the adult residential training program for persons with visual disabilities, such information must be shared within 1 working day prior to the hearing.
- e) All parties involved in the hearing must avoid repetitive continuances so that the subject matter of the grievance may be resolved expeditiously. A hearing may for good cause shown (e.g., illness of the grievant, representative or DORS employee involved in the action or severe weather) be continued once by the Level II Hearing Officer. In the absence of an emergency, notice of the request must be given in writing to the other party and the Level II Hearing Officer no later than 3 working days prior to the original hearing date. In the absence of an emergency if the grievance pertains to the conduct of a client of the adult residential training program for persons with visual disabilities, the notice must be provided to the other party and the Level II Hearing Officer no less than 1 working day prior to the original hearing date. The granting of continuances for Level II hearings arising from HSP, shall be governed by DPA.
- f) The grievant shall have the responsibility to prove by the preponderance of the evidence that the action or inaction by DORS was unlawful, against DORS policy, not in accordance with the grievant's IWRP (89 Ill. Adm. Code 572) or HSP Service Plan (89 Ill. Adm. Code 700), or inappropriate for the client. The Level II

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Hearing Officer shall inform the grievant of this requirement at the beginning of the Level II hearing.

g) Evidence

1) The rules of evidence and privilege as applied in civil cases in the Circuit Courts of this State shall be followed except that any relevant evidence not admissible under those rules of evidence which is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs, has probative value, and is relevant and material to the facts and issues may be admissible.

2) DORS employees directly involved in the contested action will be present to testify and can be questioned by the grievant. However, if such person is no longer employed by DORS and declines to attend the hearing after DORS has made a reasonable attempt to secure his/her attendance, the person most knowledgeable about the case will attend.

3) Only information bearing directly on the issue under review, per Section 510.20, may be introduced from the grievant's case file. The Level II Hearing Officer may not consider any information that has not been made available to the other party.

4) Either party may present information and evidence in addition to the case file, which must also be made available to the other party at least 3 working days prior to the hearing or by stipulation at the hearing.

5) The grievant and DORS may call any person as a witness and conduct examination and cross-examination.

6) The grievant and DORS may, by stipulation, agree upon any facts involved in the proceeding. The facts stipulated must be considered as evidence in the proceedings.

h) The following is the order of the proceedings:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

1) presentation, arguments, and disposition of all preliminary motions and matters;

2) opening statements;

3) evidence presented by the grievant;

4) evidence presented by DORS;

5) rebuttal by either or both sides; and

6) closing statements by the grievant;

7) closing statements by DORS; and

8) rebuttal by grievant.

i) A hearing will not be adjourned until the Level II Hearing Officer has received all information agreed upon within the time the parties have agreed to provide it.

j) The Level II Hearing Officer may take one of several courses of action in making a decision, which include, but are not limited to the following:

1) find in favor of the grievant;

2) uphold the determination or action of DORS;

3) accept a withdrawal of the appeal confirmed in writing signed by the grievant, or as appropriate, a parent, family member, guardian, advocate or duly authorized representative of the grievant which must be filed with the Hearings Coordinator;

4) accept a settlement of the issues agreed to by the grievant and DORS which must include a written withdrawal of the appeal which must be filed with the Hearings Coordinator.

(Source: Emergency Rules Added at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.110

Exhaustion-of-Administrative-Remedies
Director's Review

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

EMERGENCY

a) ---BORS-administrative-action-becomes-final-upon-the decision-of-the-Director; or, if no such review has been undertaken, 10 days after the Level II Hearing Officer's decision has been issued.

---b) ---if the grievance pertains to the conduct of a client at IVH, BORS-administrative-action-becomes-final-upon the decision of the Director; or, if no such review has been undertaken, 7 working days after the Level II Hearing Officers decision has been issued.

---c) ---Any further appeal must be made to the courts except that a vendor in the Vending Facilities Program for the Blind must first file an appeal with the U.S. Department of Education in accordance with the Randolph-Sheppard Act (20 U.S.C. 107 et seq.).

a) The Director may choose to review any Level II decision, except for an appeal brought by a licensed vendor in the Vending Facilities Program for the Blind, by issuing a Notice of Intent to Review within 20 calendar days of the mailing of the decision to the grievant. If the grievance pertains to the conduct of a client in the adult residential training program for persons with visual disabilities, the Notice of Intent to review shall be issued within 7 working days. The scope of such review shall include, but is not limited to, the consistency of the Level II Hearing Officer's finding with applicable law and regulations. The Notice of Intent to Review shall include a listing of those issues being reviewed.

1) The appropriate program staff will then perform a thorough review of the Level II Hearing Officer's decision, the grievant's case file and the record of proceedings of the Level II hearing, and make a recommendation to the Director regarding a Level II decision which is thought to be:

A) in violation of constitutional, statutory, regulatory, or written policy;

B) in excess of the statutory authority of DORS;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

C) affected by other error of law, regulation, or written policy;

D) not reasonably supported by the evidence; or

E) arbitrary, capricious, or characterized by abuse of or clearly unwarranted exercise of discretion.

2) If the Director determines that a review is necessary, based on the recommendations made in subsection (a)(1) of this Section, the Notice shall be sent to the grievant, who shall be informed of the right to submit additional written evidence and arguments to the Director. Such additional evidence and arguments must be received within 10 working days of receipt of the Notice. If the grievance pertains to the conduct of a client of the adult residential training program for persons with visual disabilities, such additional evidence and arguments must be received within 7 working days after receipt of the Notice.

b) The Director's decision, citing the findings and grounds, must be mailed within 30 calendar days of the date of the Notice of Intent to Review. If the grievance pertains to the conduct of a client of the adult residential training program for persons with visual disabilities, the Director's decision, citing the findings and grounds, must be mailed within 12 calendar days after the Notice of Intent to Review. This decision must be sent by Certified Mail, return receipt requested, to the grievant.

c) The Director may modify, reverse or uphold the Level II Hearing Officer's decision, except if the grievance pertains to the VR program, the Director may not modify or overturn a decision or part of such a decision that supports the position of the grievant unless the Director concludes, based on clear and convincing evidence, that the decision is clearly erroneous on the basis of being contrary to federal or State law, including policy. This decision is based upon review of the grievant's case file, the Level I decision, the Level II record, the Level II Hearing

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Officer's decision, and any additional evidence and arguments submitted by the grievant.

(Source: Emergency Amendments at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

Section 510.120 Exhaustion of Administrative Remedies
EMERGENCY

- a) DORS administrative action becomes final upon the decision of the Director, or, if no such review has been undertaken, 20 calendar days after the Level II Hearing Officer's decision has been issued.
- b) If the grievance pertains to the conduct of a client at the adult residential training program for persons with visual disabilities, DORS administrative action becomes final upon the decision of the Director, or, if no such review has been undertaken, 7 working days after the Level II Hearing Officers decision has been issued.

- c) Any further appeal (other than by a vendor in the Vending Facilities program for the Blind or by a grievant under the Grant Funds Recovery Act) must be made to the courts by a common law writ of certiorari. A vendor in the Vending Facilities program for the Blind must first file an appeal with the U.S. Department of Education in accordance with the Randolph-Sheppard Act (20 U.S.C. 107 et seq.). A grievant under the Grant Funds Recovery Act must file under the Administrative Review Law (Ill. Rev. Stat. 1991, ch. 110, par. 3-101) [735 ILCS 5/3-101].

(Source: Emergency Rules Added at 17 Ill. Reg. 11608, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Application
- 2) Code Citation: 89 Ill. Adm. Code 557
- 3) Section Numbers:
557.10 Emergency Action:
557.20 Amended
557.30 Repealed
557.40 Amended
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b) and (k)].
- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993
- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:
- 7) Date filed in Agency's Principal Office: July 1, 1993
- 8) Reason for Emergency: The Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973 requires immediate implementation of the provisions of the amendments by each state's Vocational Rehabilitation (VR) agency.
Failure on the part of the VR agency to implement these changes jeopardizes federal funding for the program thus endangering the life, health and welfare of all current clients of the VR program and those who may be eligible for VR services throughout Illinois.
- 9) A Complete Description of the Subject and Issues Involved: These amendments update the requirements for application for Vocational Rehabilitation services pursuant to the Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973.
- 10) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 557
APPLICATION

Section	General Applicability
557.10	EMERGENCY
557.20	Geographical Client Assignment (<u>Repealed</u>)
EMERGENCY	
557.30	Application Required
EMERGENCY	
557.40	Who May Sign
EMERGENCY	

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of the Disabled Persons Rehabilitation Act "AN-Act-in-relation-to-rehabilitation-of-disabled-persons" (Ill. Rev. Stat., 1991, ch. 23, pars. 3434(a),(b), and (k)) [20 ILCS 2405/3(a), (b) and (k)].

SOURCE: Adopted at 9 Ill. Reg. 8755, effective June 10, 1985; amended at 11 Ill. Reg. 820, effective December 23, 1986, amended at 11 Reg. 15220, effective August 31, 1987; amended at 12 Ill. Reg. 12099, effective July 7, 1988; amended at 13 Ill. Reg. 16552, effective October 10, 1989; emergency amendments at 17 Ill. Reg. 11652, effective July 1, 1993, for a maximum of 150 days.

Section 557.10 General Applicability
EMERGENCY

- a) Rules contained within this Part are applicable to all Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) clients.
- b) The term "client" means:
 - 1) ---an applicant-for-services-from-DORS;
 - 2) ---parent(s)-of-a-minor;
 - 3) ---guardian-or-legal-custodian-of-the-client;
or
 - 4) ---the-representative-of-the-client;-as
authorized-in-writing-by-the-client;

ILLINOIS REGISTER 11653
93
DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

- 11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable
- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warrner, Acting Director
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule(amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

For the purposes of this Part, with the exception of Section 557.40, "client" shall mean any individual seeking VR services from DORS.

- c) For the purposes of Section 557.40, the term "client" shall include the individual in (b) above and, as appropriate, that individual's parent, family member, guardian, advocate, or duly authorized representative.

(Source: Emergency amendments at 17 Ill. Reg. 11652, effective July 1, 1993, for a maximum of 150 days)

Section 557.20 Geographical Client Assignment (Repealed)

EMERGENCY

A client shall be served by the office serving the geographical area in which the client lives. If the client's case is open when s/he permanently moves outside the boundaries of the district in which his/her case is carried or when further services are required that the counselor with a specialized caseload must handle (e.g., university counselor, Illinois Visually Handicapped Institute (VHI) counselor), the client's case is transferred.

(Source: Emergency repealer at 17 Ill. Reg. 11652, effective July 1, 1993, for a maximum of 150 days)

Section 557.30 Application Required

EMERGENCY

In order for a client's case to be moved to applicant status, the client must make formal application for services. This shall be done by completion of the "Application for Services and Rights/Remedies" APPLICATION FOR SERVICES AND RIGHTS/REMEDIES (Application) (IL 488-1489).

(Source: Emergency amendments at 17 Ill. Reg. 11652, effective July 1, 1993, for a maximum of 150 days)

Section 557.40 Who May Sign

EMERGENCY

The "Application" (IL-488-1489) must be signed by the client. The only exception to this is when the client is competent and at least over eighteen years of age (18), but documentation in the case folder file indicates that the client is physically unable to write

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

sign his/her signature, in which case the counselor will write a statement indicating the reason the client is unable to sign the Application. This statement must be signed by a witness to attest to its validity.

(Source: Emergency amendments at 17 Ill. Reg. 11652, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- 1) Heading of the Part: Assessment for Determining Eligibility and Rehabilitation Needs

- 2) Code Citation: 89 Ill. Adm. Code 553

<u>Section Numbers:</u>	<u>Emergency Action:</u>
553.10	New Section
553.20	New Section
553.30	New Section
553.40	New Section
553.50	New Section
553.60	New Section
553.70	New Section
553.80	New Section
553.90	New Section
553.100	New Section
553.110	New Section
553.120	New Section
553.130	New Section
553.140	New Section

- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993

- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

- 7) Date filed in Agency's Principal Office: July 1, 1993

- 8) Reason for Emergency: The Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973 requires immediate implementation of the provisions of the amendments by each state's Vocational Rehabilitation (VR) agency.

Failure on the part of the VR agency to implement these changes jeopardizes federal funding for the program thus endangering the life, health and welfare of all current clients of the VR Program and those who may be eligible for VR services throughout Illinois.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- 9) A Complete Description of the Subject and Issues Involved:
This new Part prescribes the new criteria of eligibility for an individual applying for services through DORS' Vocational Rehabilitation (VR) Program. P.L. 102-569 implements an new set of criteria, components and method for determining necessary VR services.

This new Part replaces 89 Ill. Adm. Code 552 - Eligibility.

- 10) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 553
 ASSESSMENT FOR DETERMINING ELIGIBILITY AND
 REHABILITATION NEEDS

Section

- 553.10 General Applicability
- 553.20 Basis for the Determination of Eligibility
- 553.30 Presumption of Benefit from Vocational Rehabilitation Services
- 553.40 Eligibility Determination Time Frames
- 553.50 Outcome of the Eligibility Determination
- 553.60 Documentation of Eligibility Factors / Preliminary Assessment
- 553.70 Certification of Eligibility
- 553.80 Extended Evaluation
- 553.90 Outcome of Extended Evaluation
- 553.100 Comprehensive Assessment of Rehabilitation Needs
- 553.110 Outcome of the Comprehensive Assessment of Rehabilitation Needs
- 553.120 Change in Eligibility Status
- 553.130 Order of Selection
- 553.140 Criteria for Severe Disability

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

SOURCE: Emergency rules adopted at 17 Ill. Reg. 11657 effective July 1, 1993, for a maximum of 150 days

Section 553.10 General Applicability

The Rules contained in this Part are applicable to all clients of the Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) Program.

Section 553.20 Basis for the Determination of Eligibility
 An individual shall be determined to be eligible to receive services through the VR Program if he/she:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

a) is an individual with a disability as defined in §7(8)(A) of the Rehabilitation Act of 1973, as amended; and

b) requires VR services to prepare for, enter, engage in, or retain gainful employment.

Section 553.30 Presumption of Benefit from Vocational
 Rehabilitation Services

a) Any individual who is determined to be an individual with a disability shall be presumed to be able to benefit from VR services in terms of a successful employment outcome, unless DORS can demonstrate through clear and convincing evidence that the individual is incapable of benefitting from VR services in terms of a successful employment outcome.

b) Prior to the determination that the individual is incapable of benefitting from VR services because of the severity of the disability, he/she must undergo a period of Extended Evaluation per 89 Ill. Adm. Code 553.80.

Section 553.40 Eligibility Determination Time Frames

After receiving a completed application for VR services, DORS shall make an eligibility determination within a reasonable time period, not to exceed 60 calendar days from the date the individual applies for services unless:

- a) DORS notifies the individual that exceptional and unforeseen circumstances beyond DORS control preclude DORS from completing a timely determination and the individual agrees an extension; or
- b) DORS determines, on the basis of the criteria set forth at 89 Ill. Adm. Code 553.30, that a period of extended evaluation is necessary to document whether or not the individual can be expected to benefit from VR services in terms of an employment outcome.

Section 553.50 Outcome of the Eligibility Determination

Prior to the end of the eligibility determination period, (i.e., 60 days) one of the following must occur:

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY RULES

- a) the client is determined to be eligible to receive VR services based on the criteria set forth at 89 Ill. Adm. Code 552.20(a). A Certification of Eligibility (89 Ill. Adm. Code 553.60) shall be completed and the individual shall enter a Comprehensive Assessment of Rehabilitation Needs to the extent needed by the individual (89 Ill. Adm. Code 553.100);
- b) an extended evaluation is determined necessary. A Certification of Extended Evaluation shall be completed and such an evaluation shall begin;
- c) the client, because of lack of a disability which for that individual constitutes or results in a substantial impediment to employment, is determined to be ineligible to receive services. A Certification of Ineligibility shall be completed and the individual's case closed;
- d) the client's case is closed for reasons other than ineligibility (e.g., the client has refused services or further services from DORS, the client cannot be located); or
- e) the client's case is closed as he/she is determined ineligible to receive services due to the fact he/she does not meet the required criteria (see 89 Ill. Adm. Code 553.20).

Section 553.60 Documentation of Eligibility Factors/
Preliminary Assessment

Eligibility shall be assessed, to the maximum extent possible and practical, from existing medical and psychological records. Acceptable information for the purpose of verification of eligibility factors shall be:

- a) available medical records;
- b) available acceptable psychological or psychiatric records (see 89 Ill. Adm. Codes 553.120);
- c) verification of receipt of Supplemental Security Income awarded on the basis of disability;
- d) verification of receipt of Social Security Disability Income benefits awarded to the individual as a result of his/her disability;

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY RULES

- e) verification that the individual, while in school, received services through a special education program; or
- f) any other verification that the individual has been determined by another educational or governmental agency to be an individual with a disability.

Additional medical, psychological and psychiatric information shall be obtained only when there is no existing information on which to base the determination of eligibility, or there is conflict between existing records, or when a counselor has reason to question whether the record accurately reflects the current medical or psychological condition.

Section 553.70 Certification of Eligibility

- a) At any time during the eligibility determination process, but no later than 60 days from the date of an individual's application for services a Certification of Eligibility, per 89 Ill. Adm. Code 553.40 shall be completed unless extenuating circumstances exist and is agreed upon by the individual or a period of Extended Evaluation (89 Ill. Adm. Code 553.80) is determined to be necessary.

- b) The Certification of Eligibility shall document the basis on which the client was determined to be eligible, including identification of the individual's disability, describe specifically why the individual is in need of VR services to reach an employment outcome, and outline the services that are expected to be necessary to determine the individual's service needs during the Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.100).

Section 553.80 Extended Evaluation

- a) If, prior to the expiration of the 60 calendar day eligibility determination period, it is determined that sufficient evidence exists to justify the need for extended evaluation, a Certification of Extended Evaluation shall be completed and such an evaluation shall commence. The Certification of Extended Evaluation shall identify why a determination of eligibility could not be completed during the 60 calendar day eligibility determination period and specifically outline the services that are to be

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

provided during extended evaluation to determine the individual's eligibility or ineligibility.

- b) The sole purpose of the extended evaluation shall be to determine whether or not the individual can benefit from services in terms of a successful employment outcome. DORS may not deny the individual access to VR services, unless DORS can prove through clear and convincing evidence, the individual is incapable of benefiting from VR services in terms of a successful employment outcome.
- c) The period of extended evaluation shall not exceed 18 months calculated from the date of the Certification of Extended Evaluation and shall be reviewed every 90 days.

Section 553.90 Outcome of Extended Evaluation

- a) If, after a period of Extended Evaluation, the client is determined eligible, a Certification of Eligibility shall be prepared and the client shall begin a Comprehensive Assessment of Rehabilitation Needs (see 89 Ill. Adm. Code 553.100).

- b) If DORS, after a period of extended evaluation, is unable to demonstrate through clear and convincing evidence that the individual cannot benefit from VR services in terms of an employment outcome, he/she shall be presumed to be able to benefit from services (89 Ill. Adm. Code 553.30) and shall be certified as eligible to receive VR services.

- c) A Certification of Ineligibility shall be completed, which includes a summary and rationale for the determination based on the information gathered during the period of extended evaluation.

Section 553.100 Comprehensive Assessment of Rehabilitation Needs

- a) If a client is determined eligible to receive VR services (89 Ill. Adm. Code 553.50(a)), he/she must undergo a Comprehensive Assessment of Rehabilitation Needs (Comprehensive Assessment).
- b) A major component of the Comprehensive Assessment shall be the determination by the client of his/her employment goal. The goal shall involve the client and take

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

his/her interests into consideration, as well as, career counseling provided to and with the client by the counselor regarding labor market trends and training requirements. The employment goal chosen by the client should be supported by the counselor unless the Comprehensive Assessment clearly contraindicates the client's choice.

- c) The Comprehensive Assessment will include a review of existing and additional information as to the individual's career plan, unique strengths, resources, priorities, interests, and needs to determine the nature and scope of services necessary to ensure the individual a successful employment outcome in the area of his/her chosen goal.

- d) The scope of the Comprehensive Assessment shall be limited to that which is necessary to identify the rehabilitation needs of the individual and to develop the Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572) for the individual. To the maximum extent possible the information used shall be existing information and information available from the individual and, where appropriate, from the individual's family.

Section 553.110 Outcome of the Comprehensive Assessment of Rehabilitation Needs

When it is determined by the counselor that enough information has been gathered during the Comprehensive Assessment to adequately determine and plan the VR services necessary to ensure the individual a successful employment outcome in the area of his/her chosen employment goal, a Comprehensive Assessment Summary shall be completed by the counselor. The Summary shall identify, in detail, the specific impairments the individual has in obtaining his/her vocational goal and the specific services that are expected to be necessary to assist the client in achieving his/her employment outcome.

Section 553.120 Change in Eligibility Status

If, at any time during the eligibility process or Comprehensive Assessment, the client's condition changes to the extent he/she is no longer considered to have a disability, all services shall cease, a Certificate of Ineligibility shall be completed and the client's VR case closed. Clients have the right to request a

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

review of this determination under the procedures of 89 Ill. Adm. Code 510-Appeals and Hearings.

Section 553.130 Order of Selection

After the Comprehensive Assessment (89 Ill. Adm. Code 553.100), counselors must follow the order of selection in purchasing services for individuals. Individuals shall be serviced in the following order of priority:

- a) those individuals with severe disabilities;
- b) individuals with non-severe disabilities who are public safety officers and civil employees who are injured in the line of duty;
- c) individuals with non-severe disabilities who are recipients of public assistance;
- d) all other individuals with non-severe disabilities.

Section 553.140 Criteria for Severe Disability

Criteria for determining that the individual has a severe disability must be in the individual's VR case file, stated in the Certification of Eligibility (89 Ill. Adm. Code 553.70) and justified in the Assessment Summary (89 Ill. Adm. Code 553.110) based on the following information. All four of the following criteria must exist for an individual to be considered an individual with a severe disability.

- a) The individual has a severe physical or mental impairment resulting from:

- 1) amputation,
- 2) arthritis,
- 3) autism,
- 4) blindness
- 5) burn injury,
- 6) cancer,
- 7) cerebral palsy,
- 8) cystic fibrosis,
- 9) deafness,
- 10) head injury,
- 11) heart disease,
- 12) hemiplegia,
- 13) hemophilia,

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- 14) respiratory or pulmonary dysfunction,
 - 15) mental retardation,
 - 16) mental illness,
 - 17) multiple sclerosis,
 - 18) muscular dystrophy,
 - 19) musculo-skeletal disorders,
 - 20) neurological disorders (including stroke and epilepsy,
 - 21) paraplegia,
 - 22) quadriplegia (and other spinal cord conditions),
 - 23) sickle cell anemia,
 - 24) specific learning disabilities,
 - 25) end stage renal failure disease, or
 - 26) another disability or combination of disabilities if it is determined by an evaluation of rehabilitation potential to cause a comparable degree of substantial impairment similar to the specific list of disabilities above.
- b) the severe disability seriously limits one or more of the individuals functional capacities such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance and work skills.
 - c) Multiple VR services will be required to ensure the individual a successful employment outcome.
 - d) VR services will be required over an extended period of time. An extended period of time for the purposes of the VR Program is defined as 6 months or more.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- 1) Heading of the Part: Auxiliary Aids
- 2) Code Citation: 89 Ill. Adm. Code 540
- 3) Section Numbers:
- | | |
|--------|-------------------|
| 540.10 | Emergency Action: |
| 540.20 | Repealed |
| 540.30 | Repealed |
| 540.40 | Repealed |
| 540.50 | Repealed |
- 4) Statutory Authority: Implementing and authorized by Sections 3(k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434(k)) [20 ILCS 2405/3(k)].
- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993
- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:
- 7) Date filed in Agency's Principal Office: July 1, 1993
- 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act required immediate implementation of certain provisions contained in the amendments.
- In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.
- Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.
- 9) A Complete Description of the Subject and Issues Involved:
- This Part is being repealed due to the changes required by the 1992 Amendments to the Rehabilitation Act. As the changes required by the amendments are so dramatic, most of the provisions contained in this Part are no longer appropriate or applicable, thus necessitating repeal of the Part.

- 10) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

NOTICE OF EMERGENCY REPEALER

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 540
AUXILIARY AIDS
(Repealed)

- Section
540.10 Provision of Auxiliary Aids for Internal Activities
EMERGENCY
540.20 Provision of Auxiliary Aids by Service Providers
EMERGENCY
540.30 Provision of Auxiliary Aids by DORS for Program
Participation
EMERGENCY
540.40 Aids or Equipment for Persons Who Are Blind or
Visually Impaired
EMERGENCY
540.50 Interpreters for Persons Who are Deaf, Hard of
Hearing, or Deaf-Blind
EMERGENCY

AUTHORITY: Implementing and authorized by Section 3(k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434(k)) [20 ILCS 2405/3(k)].

SOURCE: Adopted at 8 Ill. Reg. 4516, effective March 30, 1984; amended at 12 Ill. Reg. 14300, effective August 29, 1988; amended at 14 Ill. Reg. 5808, effective April 5, 1990; Emergency Repealer at 17 Ill. Reg. 11667, effective July 1, 1993, for a maximum of 150 days.

- Section 540.10 Provision of Auxiliary Aids for Internal
Activities
EMERGENCY

- a) Auxiliary aids are assistive devices and services which allow individuals with impaired sensory, manual, or speaking skills to achieve a level of ability equal to that of those individuals not having these impaired skills. Examples of auxiliary aids include attendants, individually prescribed devices to augment sensory deficits, readers, notetakers, brailled and/or taped materials, and interpreters for the deaf.

- b) The Department of Rehabilitation Services (DORS) will provide auxiliary aids for internal activities involving the provision of client services. "Internal activities" are all related to the vocational rehabilitation (VR) program (89 Ill. Adm. Code Chapter, Subchapter b) provided directly by DORS to the client, excluding services in the client's Individualized Written Rehabilitation Program (89 Ill. Adm. Code 572). Some examples of internal activities include the Client Assistance Program (CAP) and Administrative Reviews and Hearings (89 Ill. Adm. Code 510). Decisions as to whether or not DORS will provide a requested auxiliary aid will be made on the basis of the individual's sensory, manual, or speaking skill deficit and the individual's need, as determined by their deficit, for auxiliary aids in order to benefit from DORS' services.
- c) Interpreters for the deaf must be either certified by the National Registry of Interpreters for the Deaf or approved by DORS. DORS approval is contingent upon favorable recommendations from at least two previous users. If the interpreter is a graduate of an approved Interpreter Training Program (ITP), one of the references can be from the coordinator or the instructor of the ITP.

- Section 540.20 Provision of Auxiliary Aids by Service
Providers
EMERGENCY

- a) "Service Provider" means any individual, profit or not-for-profit organization from which DORS purchases services.
- b) The Department of Rehabilitation Services will act as a referral source and technical consultant for the provision of auxiliary aids by service providers subject to regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended (34 C.F.R. 104, (198)).
- c) Service providers subject to regulations implementing Section 504 have the responsibility for the purchase and provision of auxiliary aids for participants and applicants of their programs, including: brailled and/or taped materials, interpreters for the hearing-impaired, readers and other aids for persons

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

with impaired sensory, manual, or speaking skills. These aids must be provided where necessary to afford persons having sensory, manual or speech skill deficits as equal an opportunity as would an individual not having these deficits. When the provision of these aids is not assured by the service provider, every attempt must be made by the Department to solicit cooperation of the service providers in providing auxiliary aids to clients accessing their programs.

- d) In situations where the service provider refuses to provide such the Department will purchase/provide the auxiliary aids required to enable the client to have access to the services designated in the Individualized Written Rehabilitation Program (IWRP).

Section 540.30 Provision of Auxiliary Aids by DORS for Program Participation

EMERGENCY

The Department of Rehabilitation Services shall purchase and provide auxiliary aids for the referral to and services of service providers not subject to regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended, for DORS clients. Provision of services is dependent upon the auxiliary aid being necessary in order for the client to participate in a program. Provision of auxiliary aids is also contingent upon application of Client Financial Participation (89 Ill. Adm. Code 562).

Section 540.40 Aids or Equipment for Persons Who Are Blind or Visually Impaired

EMERGENCY

The Department of Rehabilitation Services (DORS) shall provide services and programs for residents of Illinois who are blind or visually impaired from funds appropriated from the Assistance to the Blind Fund.

a) Definitions

"Accessible computer equipment": for the purposes of this Section, is defined as devices used in conjunction with computers, specifically designed to enable use of computer equipment by persons who are blind or visually impaired.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

"Sensory aids": adaptive equipment used to minimize or overcome the limitations of visual impairment, such as a braille keyboard and speech synthesizer.

- b) DORS shall provide sensory aids and accessible computer equipment in accordance with subsection (e) of this Section, to persons who are blind or visually impaired and require the aids or equipment in order to obtain or retain employment, or for educational purposes for students.

- c) Equipment shall be loaned for the following purposes:

- 1) emergency use while the borrower's equipment is being repaired or replaced;
 - 2) on a trial basis to assess the usefulness of the equipment;
 - 3) in an employer training program or during a limited probationary period of employment that may lead to permanent employment;
 - 4) in an employment situation until similar equipment can be purchased;
 - 5) in an employment situation which is changing so that DORS equipment will only be needed for a limited time;
 - 6) for demonstration purposes for persons who are blind or visually impaired; or
 - 7) in an educational situation until similar equipment can be purchased.
- d) Requests to borrow the equipment, in accordance with subsection (e) of this Section, will be considered by DORS' Bureau of Blind Services in the following order of priority:
- 1) clients of the Vocational Rehabilitation (VR) Program (89 Ill. Adm. Code: Chapter IV, Subchapter b) who are blind or visually impaired and require equipment or aids to obtain or retain employment;

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY REPEALER

- 2) employees of the State of Illinois who are blind or visually impaired;
- 3) Illinois residents who are blind or visually impaired and require equipment or aids to obtain or retain employment; and
- 4) students who are blind or visually impaired, require the aids or equipment for educational purposes and are actively involved in a full-time educational program.

e) All requests for loan of equipment must include the completion of the Loan Agreement (11488-1999). Approval for any loan is contingent on a plan to replace loaned equipment within previously agreed upon time frames, according to subsection (f) of this Section.

f) Equipment loans will be for up to 60 calendar days and may be extended for additional periods of 30 calendar days upon prior written approval of the Bureau of Blind Services. If there is a waiting list for the equipment in question, priorities in subsection (d) of this Section will apply.

g) Equipment loaned in accordance with subsection (f) of this Section shall be returned in good working condition (as determined by the Loan Program Coordinator, e.g., whether it performs the function for which it was designed and whether there are any broken or dented places on the hardware), by the borrower, at his/her expense, to DORS' Bureau of Blind Services. Other than malfunctions resulting from normal wear and tear as determined by the equipment manufacturer or its authorized service agency, the borrower shall be held responsible for full payment for the repair of damages in order to return the equipment to its operational state or replacement of the equipment. The borrower will be required to pay the total replacement cost of any equipment not returned.

h) Maintenance of equipment on loan is the responsibility of the borrower.

i) Obtaining permanent equipment is the responsibility of the borrower. DORS' Bureau of Blind Services will assist the borrower in determining the most useful

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

sensory aids or equipment for a particular position/situation, and will assist in coordinating the purchase of equipment with the borrower, employer and/or DORS counselor.

- j) Only equipment designated as loan equipment and maintained on a current inventory list shall be borrowed from DORS Bureau of Blind Services.

Section 540.50 Interpreters for Persons Who are Deaf, Hard of Hearing or Deaf-Blind
EMERGENCY

The Department of Rehabilitation Services (DORS) shall purchase/provide interpreter services for persons who are deaf, hard of hearing, or deaf-blind in accordance with Sections 540.10 (c), 540.20 and 540.30.

- a) Certified interpreters shall have a copy of their current certification on file with DORS Division of Services for the Hearing Impaired in order to be paid the applicable certified rate. Interpreters will be paid on an hourly, half-day, full-day or assignment rate. DORS considers a half-day to consist of 3.5 to 4.0 hours and a full-day to consist of 7.5 to 8.5 hours.

- b) Interpreters shall be paid for a minimum of a two hour time period even though the worktime may be less than two hours. If there is less than a one hour lapse (e.g., lunch, break) in the interpreter assignment, payment will be for the total time span of the assignment.

- c) Interpreters who may not be interpreting but are required to be on the site (e.g., for labs, workshops, preparation for classes) shall be paid during this time.

- d) When an interpreter must travel a distance of 20 or more miles one way for an assignment, DORS will pay the mileage allowance in accordance with State Travel Regulations (89 Ill. Adm. Code 3000. Appendix A).

- e) An interpreter shall not bill DORS when DORS has cancelled more than 48 hours in advance of an assignment. An interpreter who is cancelled by a DORS employee or a DORS client less than 48 hours in advance

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

of the assignment may bill DORS for the assignment time scheduled. However, if such a cancellation occurs on a multiple day assignment, the interpreter will be paid only for the time scheduled during the first 48 hours of the assignment (e.g., if a cancellation occurs and an interpreter is scheduled for three hours on day one and five hours on day two, the interpreter may bill for eight hours total).

f) In the event a client does not appear for a scheduled appointment, the interpreter shall stay on site for a minimum of one hour and then telephone the DORS contact person for direction.

g) If an interpreter cancels an assignment, he/she shall notify the DORS contact person immediately and work with the DORS contact person to attempt to locate a qualified interpreter. DORS contact person reserves the right to approve any substitute interpreter. No finder's fee will be paid to the original interpreter if that interpreter finds an acceptable substitute.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Client Financial Participation

2) Code Citation: 89 Ill. Adm. Code 562

3) Section Numbers: Emergency Action:
 562.20 Amended
 562.30 Amended
 562.40 Amended
 562.60 Amended
 562.70 Amended
 562.80 Amended
 562.90 Amended

4) Statutory Authority: Implementing and authorized by Section 3(a),(b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993

6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

7) Date filed in Agency's Principal Office: July 1, 1993

8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act require immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.

9) A Complete Description of the Subject and Issues Involved: These amendments change terminology as it pertains to application of the CLIENT FINANCIAL ANALYSIS (Analysis) and provide for exclusions to the analysis pursuant to the 1992 Amendments to the Rehabilitation Act.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Further changes are made to ensure equitable application of the Analysis as required by the 1992 Amendments to the Rehabilitation Act.

- 10) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 562

CLIENT FINANCIAL PARTICIPATION

Section	
562.10	General Applicability
562.20	Exclusions from Economic Needs Test
EMERGENCY	
562.30	Financial Participation
EMERGENCY	
562.40	Parental or Guardian Participation in Completing the Financial Analysis Form
EMERGENCY	
562.50	Client Emancipation (Repealed)
562.60	Consideration of Settlements from Litigation or Other Sources
EMERGENCY	
562.70	Refusal to Financially Participate
EMERGENCY	
562.80	Timing of Financial Analysis
EMERGENCY	
562.90	Annual Impact of Review of Financial Analysis
EMERGENCY	
562.100	Exclusion for Public Aid Recipients (Repealed)
Table A	Determination Table for Client Participation

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a),(b), and (k)) [20 ILCS 2405/3 (a), (b) and (k)].

SOURCE: Adopted at 9 Ill. Reg. 8763, effective June 10, 1985; amended at 11 Ill. Reg. 4021, effective February 18, 1987; amended at 11 Ill. Reg. 15223, effective August 31, 1987; amended at 11 Ill. Reg. 19127, effective November 9, 1987; amended at 12 Ill. Reg. 20827, effective November 30, 1988; amended at 13 Ill. Reg. 2866, effective February 17, 1989; amended at 14 Ill. Reg. 1466, effective January 8, 1990; amended at 14 Ill. Reg. 18555, effective November 5, 1990; amended at 15 Ill. Reg. 10179, effective June 24, 1991; amended at 15 Ill. Reg. 18750, effective December 17, 1991; amended at 17 Ill. Reg. 3895, effective March 15, 1993; emergency amendments at 17 Ill. Reg. 11676, effective July 1, 1993, for a maximum of 150 days.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Section 562.20 Exclusions from Economic Needs Test
EMERGENCY

The economic needs test shall be presumptively met by clients who are recipients of benefits from state or federal welfare programs, e.g., Aid to Families with Dependent Children (AFDC), Supplemental Security Income (SSI), General Assistance and food stamps. The economic needs test shall also be presumptively met by a dependent of a recipient of such benefits. DORS shall require proof that a client is a recipient, or dependent of a recipient, of such benefits. A copy of a check or award letter or food stamp book, as appropriate, from the Illinois Department of Public Aid (DPA), the Social Security Administration or General Assistance Office shall be attached to the Client's Financial Analysis. CLIENT'S FINANCIAL ANALYSIS (Analysis) (IL 488-0265). SSI eligibility precludes the need to complete a financial analysis for a client who is a minor, regardless of the income status of his/her parents/guardians.

(Source: Emergency Amendments at 17 Ill. Reg. 11676, effective July 1, 1993, for a maximum of 150 days)

Section 562.30 Financial Participation
EMERGENCY

a) If the economic needs test has not been presumptively met, a financial analysis to evaluate the financial ability of the client, or client's family, to share in the purchase of vocational rehabilitation services shall be applied to all Department of Rehabilitation Services (DORS) services (as contained in 89 Ill. Adm. Code: Chapter IV, Subchapter b, "Vocational Rehabilitation" (VR)) except the following:

- 1) evaluation of rehabilitation potential, (although VR services other than diagnostic services provided during extended evaluation require application of the financial analysis);
- 2) counseling, guidance, referral and placement (89 Ill. Adm. Code 612);
- 3) interpreter, reader, attendant, and note taker services;
- 4) fees for training (i.e., work adjustment, skills, employment) through any approved community

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

rehabilitation program facility (89 Ill. Adm. Code 530) the work/study-component-of-the nine-month-hearing-impaired-pre-vocational program-at-Northern-Illinois-University;

- 5) the work/study component of the nine month hearing impaired pre-vocational program at Northern Illinois University;
- 56) fees for on-the-job training (OJT),
- 67) services provided through the supported employment program (89 Ill. Adm. Code 530.130(a)(2)(B))(e.g., job coaching),
- 78) instruction provided by Rehabilitation Instructors and Mobility Instructors in the area of:
 - A) activities of daily living;
 - B) communication skills;
 - C) adjustment counseling; and
 - D) mobility instruction; and
- 89) "maintenance" (89 Ill. Adm. Code 602) and "other services" (89 Ill. Adm. Code 607) which are in support of an exempt service specified in subsections (a)(1) through (78) above.
- b) When the financial analysis indicates that the client, or spouse, or parents or guardians of minor children are able to financially participate in the client's program, their participation is required.
- c) The financial analysis is based upon net available income, which is the client's and/or family unit's total income, minus total outgo.
 - 1) Total income equals earned and unearned income plus any increases or decreases expected by the client for the twelve (12) months following completion of the Financial Analysis form-(IL488-0265).

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 2) Total outgo equals the Standard Budget Allowance (SBA) plus unusual allowable expenses which the client expects to pay within the twelve {12} months following the completion of the Financial Analysis form.
- 3) Net available income determines the dollar amount of client participation. (See Table A.)
- 4) The client is not required to use private monetary merit awards (e.g. scholarships), contributions and gifts which are unrestricted as to use are not to be included as available income.
- d) For the purposes of completing the Financial Analysis form, determining if economic need exists, and determining the amount of client participation, the following definitions/terms are applicable:

- 1) The "Family Unit" refers to the client, or spouse, or parents or legal guardians of minor children, or other family members residing in the household who are designated as dependents* on the client's, spouse's, or guardian's latest federal income tax return. Individuals eligible for a double exemption for blindness and/or old age on the federal income tax return shall only be counted as one individual for the purpose of the Analysis.
- 2) "Income" utilizes the definition of gross adjusted income as used by the U.S. Internal Revenue Service (26 CFR 1.62-1(a), (1986)) and as documented by the client's (or client's family's) most recent federal income tax return. The rule incorporated by reference does not include any later amendments or revisions. A copy of the page from the most recent federal income tax return showing adjusted gross income shall be attached to the Client's Financial Analysis {IL-488-0265}.
- 3) The "Standard-Budget-Allowance"-(SBA) is the figure established by DORS to be a reasonable amount to cover all necessary expenses

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

for a family unit of a specific size to maintain a modest standard of living.

4) "Unusual Allowable Expenses" are:

- A) prescription medication(s) to treat a physical/mental condition on an ongoing basis. Only those costs exceeding \$100 per year, paid by the client and not covered by insurance or other sources, are allowable;
- B) medically prescribed diets required to treat a physical condition. Only the costs of dietary foods not found in a grocery store are allowable;
- C) costs of disability related medical supplies and prescribed medical services paid by the client and not covered by insurance or other sources;
- D) post-secondary education expenses paid by a parent/guardian for another family member if the individual is claimed as a dependent on the latest federal income tax return;
- E) expenses related to the purchase of a van, as set forth in 89 Ill. Adm. Code 597-200(b) 590.410(b); or
- F) modifications (not to exceed \$2,000 per year) to a home if necessary (as determined when the counselor and client develop the Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572) due to client's disability;
- e) Standard Budget Allowance (SBA)
- 1) The Standard-Budget-Allowance SBA is as follows:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

NUMBER OF
DEDUCTIONS
CLAIMED ON
TAX RETURN

\$ AMOUNT OF
ALLOWANCE

1 12,247
2 16,428
3 20,609
4 24,790
5 28,971
6 33,152
7 37,333
8 41,514

- 2) Add \$4,181 for each additional family member beyond eight members.

- 3) The SBA amount for a family of one is not applicable to a training case (89 Ill. Adm. Code 5920); instead, determine the client's planned subsistence costs during a training program and use these as the budget basis.

(Source: Emergency Amendments at 17 Ill. Reg. 11676, effective July 1, 1993, for a maximum of 150 days)

Section 562.40 Parental or Guardian Participation in Completing the Financial Analysis Form
EMERGENCY

If the client is a dependent of his/her parents or guardian, the parents or guardian must complete the financial analysis form for the client and be responsible for the client any indicated financial participation. A client is a dependent of parents or guardian if the client:

- a) was declared a dependent on the latest federal income tax return of the parents or guardian, regardless of client's age or place of residence; or
- b) is under age 18. However, a client under 18 is not a dependent if the client:

- 1) has established an independent living pattern (e.g., client does not reside with parent or guardian nor rely on parent or guardian for financial support); or

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 2) has been adjudicated by a court to be an emancipated individual or is married and is living with parent or guardian.

(Source: Emergency Amendments at 17 Ill. Reg. 11676, effective July 1, 1993, for a maximum of 150 days)

Section 562.60 Consideration of Settlements from Litigation or Other Sources
EMERGENCY

DORS shall make no attempt to get the have a client to reimburse the agency for services if any settlement from worker's compensation claims and insurance claims are received by the client. However, DORS will include the proceeds of these settlements as client income in determining financial participation (Section 562.30) for any new or continued services.

At the time such a settlement is received, a new Analysis must be completed including the settlement amount as income, less any unusual allowable expenses. Client financial participation shall be based, from the date of completion, on the new Analysis. A change in indicated financial participation requires an amendment to the client's current Individual Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572).

(Source: Emergency Amendments at 17 Ill. Reg. 11676, effective July 1, 1993, for a maximum of 150 days)

Section 562.70 Refusal to Financially Participate
EMERGENCY

If the client, or family, or legal guardian when required, (as appropriate) refuses to provide information necessary to determine financial participation (Section 562.30), or when participation is indicated, these individuals refuse to participate or are only willing to participate with an amount considerably below what is appropriate (Section 562. Table A), the counselor shall only develop an individualized Written Rehabilitation Program-IWRP that does not require services conditioned on economic need (see 89 Ill. Adm. Code (Section 562.20)). If the client refuses to comply with the IWRP, the case will be closed for lack of cooperation.

(Source: Emergency Amendments at 17 Ill. Reg. 11676, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Section 562.80 Timing of Financial Analysis
EMERGENCY

Clients shall be informed of DORS policy regarding client financial participation as contained in this Part at application (89 Ill. Adm. Code 557), and counselors shall complete the Financial Analysis Form prior to completion of the IWRP and at anytime there is a change, or reason to believe there is a change, in the client's financial situation, or that of the client's family or guardian, as appropriate. A change in indicated financial participation requires an amendment to the client's current IWRP.

In all cases the Analysis shall be completed annually to determine changes in the client's required financial participation.

(Source: Emergency Amendments at 17 Ill. Reg. 11676, effective July 1, 1993, for a maximum of 150 days)

Section 562.90 Annual Impact of Review of Financial
Analysis

EMERGENCY

The counselor and client shall review the Financial Analysis annually. If at the annual review or any other time the counselor is made aware by the client of a change in the financial needs or resources of the client which would either increase or decrease the financial participation for current or future services, a new financial analysis shall be completed. All changes indicated as a result of the completed Analysis shall be effective from the date of the new Analysis regardless of whether an increase or decrease in client financial participation is indicated.

(Source: Emergency Amendments at 17 Ill. Reg. 11676, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Closure2) Code Citation: 89 Ill. Adm. Code 6173) Section Numbers:
617.20 Amendments
617.30 Amendments
617.55 Amendments
617.60 Amendments
617.80 Amendments
617.110 Amendments4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k) [20 ILCS 2405/3(a), (b), and (k)].5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 19936) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:7) Date filed in Agency's Principal Office: July 1, 19938) Reason for Emergency: The Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973 requires immediate implementation of the provisions of the amendments by each state's Vocational Rehabilitation (VR) agency.

Failure on the part of the VR agency to implement these changes jeopardizes federal funding for the program thus endangering the life, health and welfare of all current clients of the VR Program and those who may be eligible for VR services throughout Illinois.

9) A Complete Description of the Subject and Issues Involved: These amendments update the requirements that must be met for closure of a VR case, as required by the Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973.10) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable
- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
 T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 617
 CLOSURE

Section
 617.10 General Applicability
 617.20 Determination of Closure
 EMERGENCY
 617.30 Criteria for Being Determined "Rehabilitated"
 EMERGENCY
 617.40 Closure as an Unpaid Family Worker
 617.50 Closure as a Homemaker
 617.55 Closure in Supported Employment
 EMERGENCY
 617.60 Closure in Sheltered Employment
 EMERGENCY
 617.70 Closure in a Work Activity Program (Repealed)
 617.80 Vocational Outcome at Closure
 EMERGENCY
 617.90 Certification of Ineligibility
 617.100 Client Participation in Closure Decision
 617.110 Annual Review of Ineligibility Decision
 EMERGENCY

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of the Disabled Persons Rehabilitation Act-"AN-Act-in-relation-to-rehabilitation-of-persons-with-one-or-more-disabilities" (Ill. Rev. Stat. 198991, ch. 23, pars. 3434(a),(b), and (k)) [20 ILCS 2405/3 (a), (b), and (k)]

SOURCE: Adopted at 9 Ill. Reg. 8776, effective June 10, 1985; amended at 11 Ill. Reg. 4032, effective February 18, 1987; amended at 12 Ill. Reg. 6959, effective April 1, 1988; amended at 12 Ill. Reg. 11498, effective June 22, 1988; amended at 12 Ill. Reg. 17090, effective October 11, 1988; amended at 12 Ill. Reg. 17957, effective October 24, 1988; amended at 15 Ill. Reg. 7347, effective April 26, 1991; amended at 15 Ill. Reg. 16118, effective October 24, 1991; emergency amendments at 17 Ill. Reg. 11686, effective July 1, 1993, for a maximum of 150 days.

Section 617.20 Determination of Closure
 EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Closure of an individual's case record shall be done any time in the Vocational Rehabilitation (VR) process when the counselor has determined that any of the following exists: Action required for each item is also indicated.

- a) The person has no disability physical or mental impairment, or vocational handicap substantial impediment to employment (89 Ill. Adm. Code 5523). This type closure does not require an annual review, but does not require requires opportunity for client participation in closure decision, written notification to client of closure, Client Assistance Program (CAP) services, and appeal rights (89 Ill. Adm. Code 510), and completion of a Certification of Ineligibility by the counselor. shall sign and date a certification of ineligibility.
- b) After a period of Extended Evaluation (89 Ill. Adm. Code 553.80), there is no reasonable expectation that VR services may benefit the individual in terms of employability (89 Ill. Adm. Code 552.30(a)(2)) a successful employment outcome This type closure requires: an annual review, opportunity for client participation in closure decision, written notification to client of closure, CAP services and appeal rights, an Individualized Written Rehabilitation Program (IWRP) amendment (89 Ill. Adm. Code 567), if appropriate, and completion of a Certification of Ineligibility by the counselor. shall sign and date a certification of ineligibility.
- c) The person has refused services or further services, or has failed to cooperate. This type closure does not require an annual review, but does not require requires: opportunity for client participation in closure decision and written notification to client of the closure, CAP services, and appeal rights.
- d) The person cannot be located, has moved out of state, has died, or is otherwise unavailable for services for an extended period of time, e.g. institutionalized or incarcerated. This type closure does not require an annual review, but does not require: requires an IWRP amendment, if appropriate).

e) the person's medical condition is rapidly progressive or terminal, i.e., unfavorable medical prognosis (annual review not required, requires: written notification to client of closure and appeal rights, and an IWRP amendment, if appropriate).

f) The program of services has been completed in terms of a successful employment outcome and additional services are not required. This type closure does not require an annual review, but does not require; requires: opportunity for client participation in closure decision, written notification to client of the closure, CAP services, and appeal rights, and an IWRP amendment).

g) Employment was obtained without benefit of VR services. This type closure does not require an annual review not required; but does requires: written notification to client of closure, CAP services, and appeal rights, and an IWRP amendment, if appropriate).

h) The person's service needs are outside the scope of VR service as contained in 89 Ill. Adm. Code: Chapter IV, subchapter b and are more appropriately provided by another agency. This type closure does not require an annual review, but does not require; requires: opportunity for client participation in closure decision, written notification to client of closure, CAP services, and appeal rights and an IWRP amendment, if appropriate).

i) The person did not meet order of selection criteria (89 Ill. Adm. Code 552.1003.140) and did not express an interest in being placed on a waiting list for a later offer of rehabilitation services. The person must have been eligible, or presumably eligible, for services if the order of selection criteria had not been applied. This type of closure does not require an annual review, but does not require; requires: opportunity for client participation in closure decision, written notification to client of closure, CAP services, and appeal rights).

j) The provision of suitable transportation (89 Ill. Adm. Code 607.20) for the acceptance or maintenance of employment was either not feasible (e.g.

DEPARTMENT OF REHABILITATION SERVICES

ILLINOIS REGISTER 11692

NOTICE OF EMERGENCY AMENDMENTS

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

too costly for the client to afford) or not available. This type closure does not require an annual review, but does not require a requirement for client participation in closure decision, written notification to client of closure, CAP services, and appeal rights and an IWRP amendment, if appropriate).

(Source: Emergency Amendments at 17 Ill. Reg. 11686, effective July 1, 1993, for a maximum of 150 days)

Section 617.30 Criteria for Being Determined "Rehabilitated" EMERGENCY

A determination that the client has been rehabilitated must meet the following criteria:

- a) the counselor provided guidance and counseling;
- b) VR services which were necessary and consistent with the client's goals and objectives in accordance with the Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572) were provided;
- c) the client has maintained suitable employment attained a successful employment outcome and has maintained such for at least 60 calendar days. Suitable employment is indicated when all of the following are present:
 - 1) the client and employer are each satisfied as evidenced by the client's continued employment and as expressed by the client at the time of client participation in the closure decision (Section 617.100);
 - 2) the client is maintaining adequate interpersonal relationships and acceptable behavior in the job environment as evidenced by the client's continued employment and as expressed by the client at time of client participation in the closure decision (Section 617.100);
 - 3) the occupation employment outcome is consistent with the client's capacities, abilities, and interests own unique strengths, resources, priorities, concerns, abilities and

capabilities as documented in the Comprehensive Assessment of Rehabilitation Needs client's Thorough-Diagnostic Study (89 Ill. Adm. Code 552-903.100). If the occupation is different than the client's vocational long-term goal (89 Ill. Adm. Code 572-60(b)), the client must be advised of the difference with documentation in the client's case file regarding this difference (89 Ill. Adm. Code 572-100) and an IWRP amendment written (89 Ill. Adm. Code 572.80.);

- 4) the client possesses acceptable skills to perform or continue the work satisfactorily as evidenced by the client's continued employment;
- 5) the employment is regular, reasonably permanent, (based upon the goal established in the client's IWRP (89 Ill. Adm. Code 572-60)), and the client receives a wage commensurate with that paid others for similar work as determined by wage information obtained by the counselor, e.g., Job Service, U.S. Department of Labor, under legal requirements as contained in 29 CFR 525 and Illinois Minimum Wage Law (56 Ill. Adm. Code 200) respectively; and
- 6) the employment and working conditions will not aggravate the client's disability and the client's disability in the job situation will not jeopardize the health or safety of him/herself or others based upon client information obtained during the diagnostic study Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.1002-50-through-70) and the counselor's knowledge of the job description and requirements.

(Source: Emergency Amendments at 17 Ill. Reg. 11686, effective July 1, 1993, for a maximum of 150 days)

Section 617.55 Closure in Supported Employment EMERGENCY

- a) To be considered a rehabilitation closure in supported employment, in addition to the criteria contained in Section 617.30, the supported employment must be competitive work, i.e., averaging at least 20 hours

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

per-week-for-each-pay-period, in an integrated work setting (34 CFR 363.7(a)(2)(ii)) with extended services.

- b) The client, DORS and the service provider shall develop an extended service plan which contains a description of extended services to be provided, the identity of the state, federal or private non-profit programs that will provide the services, the client's comments on the extended service plan, and a review date for review of the plan (reviewed by client, and the counselor). "Extended services" are those services necessary to support and maintain an individual following the termination of time-limited support services as specified on the client's IWRP (89 Ill. Adm. Code 572). Time-limited support services shall be provided for no longer than 18 months from initial date of placement unless special circumstances exist and the client and counselor agree extension of this time period is necessary for the client to achieve his/her employment objective. Extended services shall include job-related skills training provided at least twice monthly on the work site. If the individual has a diagnosis of mental illness, the contacts may be for any job-related reason off the worksite.

- c) For the purposes of this Section "client" shall also include, as appropriate, a parent, family member, guardian, advocate or duly authorized representative.

(Source: Emergency Amendments at 17 Ill. Reg. 11686, effective July 1, 1993, for a maximum of 150 days)

Section 617.60 Closure in Sheltered Employment EMERGENCY

- a) To be considered a rehabilitation closure in sheltered employment (a not-for-profit work site paying minimum or below minimum wages for work of a non-competitive nature), in addition to the criteria contained in Section 617.30, the client must be working in a facility approved in accordance with 89 Ill. Adm. Code 530-50 at or below minimum wage as authorized by a certificate from the U.S. Department of Labor, and be offered at least 20 hours of paid employment per week, documented in the case file.

- b) Further, an annual review of this closure must be performed to assess the client's ability to engage in competitive employment. If it is determined, due to increased work skills and/or change in the client's condition he/she can be expected to engage in competitive employment, a new case will be opened and the client provided services, as appropriate, to assist in the attainment of a successful employment outcome in competitive employment.

Source: Emergency Amendments at 17 Ill. Reg. 11686, effective July 1, 1993, for a maximum of 150 days)

Section 617.80 Vocational Outcome at Closure EMERGENCY

The vocational outcome at time of closure must be consistent with the original or amended vocational objective (89-III-Adm-Code-572-60-572-80-and-572-90) employment goal unless written justification for the change exists in the case file and has been changed through an amendment to the client's IWRP (89 Ill. Adm. Code 572.80).

(Source: Emergency Amendments at 17 Ill. Reg. 11686, effective July 1, 1993, for a maximum of 150 days)

Section 617.110 Annual Review of Ineligibility Decision EMERGENCY

When an applicant for vocational rehabilitation services has been determined ineligible because of a finding that he/she cannot be expected to achieve a vocational goal benefit from VR services in terms of a successful employment outcome, the ineligibility decision must be reviewed within 12 months unless:

- the individual refuses a review.
- the individual is no longer present in the State.
- the individual's whereabouts are unknown.
- the individual's medical condition is rapidly deteriorating or terminal as certified by a physician.

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

(Source: Emergency Amendments at 17 Ill. Reg. 11686, effective
July 1, 1993, for a maximum of 150 days)

- 1) Heading of the Part: Comparable Benefits
2) Code Citation: 89 Ill. Adm. Code 567
3) Section Numbers: Emergency Action:
567.20 Amendments
567.30 Amendments
567.100 Amendments

4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k), of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)), [20 ILCS 2405/3(a), (b), and (k)]

5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993

6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

7) Date filed in Agency's Principal Office: July 1, 1993

8) Reason for Emergency: The Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973 requires immediate implementation of the provisions of the amendments by each state's Vocational Rehabilitation (VR) agency.

Failure on the part of the VR agency to implement these changes jeopardizes federal funding for the program thus endangering the life, health and welfare of all current clients of the VR Program and those who may be eligible for VR services throughout Illinois.

9) A Complete Description of the Subject and Issues Involved:
The amendments to Section 567.20 clarify DORS rules as they pertain to the use of unrestricted monetary merit awards received by a client and further clarify student loans shall not be claimed as comparable benefits.

Amendments to Section 567.30 - Exceptions to Comparable Benefits are added as a direct result of the Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973. P.L. 102-569 requires the exception in the use of comparable benefits as stated in new sub-section 567.30(d). Other changes in wording and use of terms are made to reflect P.L. 102-569.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

The reference for the Code of Federal Regulations in 567.30(g) has been removed as current regulations under P.L. 102-569 have not been published.

Amendments to Section 567.100 merely reflect the addition of sub-section 567.30(d).

- 10) Are there any other amendments pending on this Part? No
- Section Numbers Proposed Action Illinois Register Citation
- 11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable
- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warrner, Acting Director
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 567
COMPARABLE BENEFITS

- Section
567.10 General Applicability
567.20 Definition of Comparable Benefits
EMERGENCY
567.30 Exceptions to Comparable Benefits
EMERGENCY
567.100 Refusal of Comparable Benefits
EMERGENCY

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of The Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a),(b), and (k)), [20 ILCS 2405/3(a), (b) and (k)].

SOURCE: Adopted at 9 Ill. Reg. 8839, effective June 10, 1985; amended at 11 Ill. Reg. 820, effective December 23, 1986; amended at 12 Ill. Reg. 3019, effective January 15, 1988; amended at 13 Ill. Reg. 9590, effective June 12, 1989; amended at 13 Ill. Reg. 18933, effective November 16, 1989; amended at 15 Ill. Reg. 6617, effective April 18, 1991; amended at 17 Ill. Reg. 149, effective December 18, 1992; emergency amendments at 17 Ill. Reg. 11696, effective July 1, 1993, for a maximum of 150 days.

Section 567.20 Definition of Comparable Benefits
EMERGENCY

- a) Comparable benefits are services which are used to determine eligibility (89 Ill. Adm. Code 5532) or to achieve the vocational goal and objectives specified in the client's Individualized Written Rehabilitation Program (89 Ill. Adm. Code 572) that, when provided to DORS clients by public or private agencies other than DORS, offset costs which would otherwise be paid by DORS or the client.
- b) Private monetary merit awards, contributions and gifts which are specific or restricted as to use shall be used as intended (e.g., scholarships earmarked for use for college tuition costs or general college expenses)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

and are an available comparable benefit or service that shall be considered as a comparable benefit to reduce the client's need for that service(s) from DORS. Unrestricted monetary merit awards, contributions and gifts shall not be considered as an available resource by DORS and may be used by the client however he/she wishes.

- c) While a client will not be discouraged from applying for loans (i.e., student loans) to assist in the completion of his/her rehabilitation program, he/she may shall not be required to accept such loans. Such loans are not comparable benefits.

(Source: Emergency Amendments at 17 Ill. Reg. 11696, effective July 1, 1993, for a maximum of 150 days.)

Section 567.30 Exceptions to Comparable Benefits EMERGENCY

Comparable benefits must be pursued for all services except:

- a) if a search for comparable benefits would delay the provision of VR services to a client who is at extreme medical risk, based upon medical evidence provided by an appropriately licensed medical professional;

- b) for evaluation of vocational-rehabilitation potential during the Determination of Eligibility and Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553);

- c) for counseling, guidance, referral, and placement;

- d) for the provision of any service when the delay caused in identifying and/or making use of a comparable benefit would cause the client to lose a job placement which is immediately available;

- de) for vocational and other training services, (e.g., on-the-job training, work adjustment training including at a rehabilitation facility or nine month pre-vocational program for hearing impaired at Northern Illinois University, and work experience from the Secondary Transitional Experience Program) which are not provided in institutions of higher education

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

(e.g., universities, colleges, vocational schools, technical institutes, or hospital schools of nursing);

- ef) for rehabilitation engineering services (i.e., the application of technologies, engineering methodologies or scientific principles to meet the needs of and address the barriers confronted by persons with disabilities);

- fg) for supported employment services (34-CFR 363.7-(f)988); and

- gh) for post-employment services included in subsections (b), (c), (d), (e), and (f), and (g) above.

(Source: Emergency Amendments at 17 Ill. Reg. 11696, effective July 1, 1993, for a maximum of 150 days.)

Section 567.100 Refusal of Comparable Benefits EMERGENCY

DORS cannot provide a service (with the exception of Section 567.30(a) through(gh)) to a client who refuses to make formal application to a comparable benefit source or who refuses to accept a comparable benefit for which he/she is eligible.

(Source: Emergency Amendments at 17 Ill. Reg. 11696, effective July 1, 1993, for a maximum of 150 days.)

- 1) Heading of the Part: Criteria for the Evaluation of Programs of Services in Community Rehabilitation Programs
- 2) Code Citation: 89 Ill. Adm. Code 530
- 3) Section Numbers: Emergency Action:
530.5 Amended
530.10 Amended
530.110 Amended
530.130 Amended
530.140 Amended
530.200 Amended
530.230 Amended
530.240 Amended
530.240 Amended
530.250 New Section
530.260 Amended
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434) [20 ILCS 2405/3] and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16].
- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993
- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:
- 7) Date filed in Agency's Principal Office: July 1, 1993
- 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act required immediate implementation of certain provisions contained in the amendments.
- In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.
- Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.

- 9) A Complete Description of the Subject and Issues Involved:
The 1992 Amendments to the Rehabilitation Act make changes to the area of services provided by Community Rehabilitation Programs (Programs) (formerly, Rehabilitation Facilities). These changes are being made to ensure DORS' rules are in compliance with these changes and to provide further clarification regarding requirements of Programs providing services to DORS clients.
- 10) Are there any other amendments pending on this Part? No
- Section Numbers Proposed Action Illinois Register Citation
- 11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable
- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:
Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301
- If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 530
CRITERIA FOR THE EVALUATION OF PROGRAMS OF
SERVICES IN COMMUNITY REHABILITATION FACILITIES PROGRAMS

SUBPART A: INTRODUCTION

Section 530.5 Applicable Standards
EMERGENCY
530.10 Evaluation Procedure
EMERGENCY
530.20 Recommended Procedures In Preparation For And During
The On-Site Visit (Repealed)

SUBPART B: PROGRAM STANDARDS

Section 530.100 Available Programs of Service (Repealed)
530.105 Instructions for Completing the Criteria (Repealed)
530.110 Organization & Administration
EMERGENCY
530.120 Personnel (Repealed)
530.130 Services
EMERGENCY
530.140 Safety
EMERGENCY
530.150 Other (Repealed)

SUBPART C: CONTRACTS WITH COMMUNITY REHABILITATION
-----FACILITIES PROGRAM

Section 530.200 Disposition of Referrals
EMERGENCY
530.230 Program Outcomes
EMERGENCY
530.240 Designated Program Week Rehabilitation-Facility
Contract Requirements
EMERGENCY
530.250 Types of Contracts
EMERGENCY
530.260 Statistical-and Fiscal and Administrative
Standards-and-Procedures
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

AUTHORITY: Implementing Section 3 of the Disabled Persons
Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434) [20
ILCS 2405/3] and authorized by Section 16 of the Civil
Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127,
par. 16) [20 ILCS 5/16].

SOURCE: Adopted at 2 Ill. Reg. 52, p. 481, effective December
29, 1978; codified at 7 Ill. Reg. 3200; amended at 13 Ill. Reg.
141, effective December 27, 1988; emergency amendments at 17
Ill. Reg. 11701, effective July 1, 1993, for a maximum of
150 days.

SUBPART A: INTRODUCTION

Section 530.5 Applicable Standards
EMERGENCY

a) All Community Rehabilitation Programs (Programs)
facilities having annual service
contracts/agreements with the Illinois Department of
Rehabilitation Services (DORS) shall have all programs
offered to DORS clients be accredited by the
Commission on Accreditation of Rehabilitation
Facilities (CARF) or the National Accreditation Council
(NAC), or have met the DORS evaluation criteria set
forth in 89 Ill. Adm. Code 530: Subpart B.

b) DORS shall only apply its evaluation criteria to
approve all programs of service which will be offered
to DORS clients by a Program Rehabilitation
facilities which:

- 1) receives less than \$20,000 annually from DORS for
fees paid for evaluation and, training, and
placement provided DORS clients, or
- 2) areis a new rehabilitation-facilities
program whose services are deemed necessary by
DORS staff, based upon client need, and who have
not yet received NAC or CARF accreditation and
which have been in existence for at least one
year. A new rehabilitation-facility program
is one which either has not previously been in
existence, or one which has not previously
provided services to DORS' clients. A new
program rehabilitation-facilities receiving
\$20,000 or more annually from DORS will may

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

only be accredited by DORS for three years, after which time they must be accredited by CARF or NAC.

- c) Rehabilitation-facilitiesA Program shall apply for accreditation through the accrediting body's established procedures.

- 1) Application to CARF should be made to:

Commission on Accreditation of Rehabilitation Facilities
2500-North-Pantone-Road
101 North Wilmot Road, Suite D
Tucson, Arizona 85715

- 2) Application to NAC should be made to:

National Accreditation Council
79 Madison Avenue
New York, New York 10016

- 3) Application to DORS should be made to:

Illinois Department of Rehabilitation Services
Manager, Community Rehabilitation Programs
Facilities Unit
P. O. Box 19429
Springfield, Illinois 62794-9429

(Source: Emergency amendment at 17 Ill. Reg. 11701, effective July 1, 1993, for a maximum of 150 days)

Section 530.10 Evaluation Procedure
EMERGENCY

- a) At the request of a Program rehabilitation facilities described in Section 530.5(b) {sheltered-workshops}-facilities the Program shall be evaluated by representatives of DORS. The facility Program must have been in operation for a period of one year prior to requesting the evaluation.
- b) The selection of the DORS representatives shall be the responsibility of the DORS Manager, Workshops-and Community Rehabilitation Programs Facilities Unit.

- c) The DORS Regional Facility/Supported Employment Specialist shall ensure that the facilities Programs in his/her Region requesting evaluations receive copies of the Standards contained in 89 Ill. Adm. Code 530: Subpart B in advance of the scheduled evaluation dates.

- d) The DORS representative assigned to conduct the evaluation shall contact the facility Program director, to arrange for a time and date convenient for all concerned. This representative shall confirm the date by letter.

- e) The selected DORS representative shall be responsible for applying the standards set forth in Subpart B of this Part to the facility Program.

- 1) Prior to conducting the evaluation, the DORS representative shall explain the on-site evaluation procedure to the facility Program director as well as program directors in charge of services to be accredited.

- 2) During the evaluation process, the DORS representative shall review the case records, facility Program description and documents, and interview staff and clients to insure that standards are being followed.

- f) The DORS representative conducting the survey shall hold an exit interview with the facility Program director, staff designated by the Program director and invited guests. The purpose of the interview shall be to summarize the strengths and weaknesses observed during the evaluation.

- g) The results of the evaluation, with recommendations for corrective action based on compliance with this Part, shall be sent to the Manager, Community Rehabilitation Programs Facilities Unit. The mManager reviews the report based upon this Part and within 30 calendar days of evaluation, notifies the facility Program director and/or the governing body in writing, of the results of the evaluation.

- h) The Program facility director and/or governing board has the right to question the results of the

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

evaluation report. Concerns shall be directed to the DORS Manager, Community Rehabilitation Facilities Programs Unit within 30 calendar days following receipt of the evaluation results. The letter of concern should identify specific areas in which the facility Program does not concur with the evaluation results, and any noted deficiencies. Information supportive of the facility's Program's position should also be included for DORS review. The DORS Facility Manager, Community Rehabilitation Program Unit will review the stated concerns to determine if the facility Program was in compliance with this Part based on the additional information and, if necessary, make changes in the report.

- i) DORS shall notify the facility Program of the decision to:
- 1) to approve the services offered by the facility Program for two three years if compliance with the standards of Subpart B are met;
- 2) to grant provisional status to the rehabilitation Program facility for a one-year period. Provisional status is granted as a temporary approval, contingent upon adherence and action pertinent to recommendations made as the result of the evaluation; or
- 3) to not approve the services offered by the facility Program. When DORS determines that a service is not in place (e.g., the facility Program does not have a work adjustment plan) or when a plan of corrective action cannot be mutually agreed upon, DORS will not approve the Program.

(Source: Emergency Amendments at 17 Ill. Reg. 11701, effective July 1, 1993, for a maximum of 150 days)

Section 530.110 Organization & Administration
EMERGENCY

a) Corporate Status

The facility Program must be a legally constituted, nonprofit, corporate entity or an

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

entity operated by a State or political subdivision of a State under an appropriate Federal, State or local statute. DORS requires good management practice, which is determined based on the factors set forth in subsections (b) and (c).

b) Governing Body

- 1) The governing body is responsible for establishing the mission of the organization, policies, buildings and equipment, and necessary financial support to fulfill the mission. These responsibilities are stated in the constitution or bylaws.
- 2) The membership of the governing body shall be is broadly representative of the community. Suggested representation would include business, education, accounting, and consumer.
- 3) The governing body shall employs a full-time Director and delegates to that person the authority and responsibility for the management of the facility Program in accordance with established policies.
- 4) The governing body or its executive committee, and staff of its choice including, at a minimum, the Director of the rehabilitation-facility Program shall meets at least quarterly.
- 5) The governing body shall approve the annual budget, and review and approve income and expense reports at least quarterly.
- 6) As part of the constitution or bylaws, the governing body has shall have a policy guarding against possible conflict of interest between its members and the operation of the rehabilitation-facility Program.
- 7) The facility Program must have insurance to protect assets and to ensure compensation for staff, disabled individuals with disabilities, volunteers, and the public, in the event such compensation would be required for occurrences for which the facility Program

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

is liable. The governing body reviews the insurance profile annually, and the extent and type of coverage is determined after consultation with professional insurance persons. Evidence of this review must be documented in the minutes of the governing body meetings.

c) Administration

- 1) An annual written evaluation of the facility's Program's service programs, physical plant, equipment needs, and personnel is shall be completed by the facility Program staff for the governing body to determine consistency with the facility's Program's mission. The evaluation report includes the strengths and/or weaknesses of each service program and a recommended plan for improvement with time frames identified. There must be evidence that the report has been submitted to the governing body, or its executive committee, and that needed action has been taken.

- 2) Policies and programs for in-service training for staff are shall be available in written form. These policies are shall be reviewed and approved by the governing body.

- 3) The financial operations of the facility Program shall be are audited annually by an independent certified public accountant.

- 4) An annual budget is shall be prepared by the Executive Director and presented to the governing body for approval.

- 5) Income and expense reports are shall be submitted to the governing body at least quarterly.

- 6) An employee with rehabilitation training and/or experience is shall be designated to coordinate rehabilitation services. The individual shall be responsible for ensuring that the persons responsible for evaluation, training, and placement programs coordinate the activities

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

which will result in meeting the client's vocational employment goals.

- 7) The facility Program shall employs personnel in such numbers and of such type as to meet the needs of individuals served.

- 8) The facility Program has shall have in place, as a means of public information, a pamphlet or other written materials which contains the following:

- A) a description of services and programs offered;
- B) identification of client population served;
- C) a description of admission procedures;
- D) a statement of client rights, and
- E) a statement of its nondiscrimination policy.

- d) The program must meet accessibility and safety standards cited in subsection (e) of this Section, Section 530.140 and 89 Ill. Adm. Code 525 prior to providing any services to DORS clients. DORS staff will survey the physical plant of the Program to ensure standards are met. If standards are not met, the Program shall submit a plan of action for approval and follow the procedures set forth at 89 Ill. Adm. Code 525.10(e).

- e) DORS must be informed prior to a Program's change in location. DORS will survey the new location prior to the move to ensure accessibility and safety standards are met. If a Program fails to notify DORS prior to a move, all services to DORS clients shall be suspended until a survey is completed by DORS and the accessibility and safety of the new location are established. No Program will be paid for services to DORS client during the period of the suspension. In no event will DORS clients be sent to a new location if it is determined inaccessible or unsafe.

- df) Federal and State Regulations

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 1) The facility Program must comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Constitution of the United States, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) the Americans with Disabilities Act (42 USC 12001), the 1970 Constitution of the State of Illinois, the Illinois Human Rights Act (Ill. Rev. Stat. 198791, ch. 68, pars. 1-101 et seq.) [775 ILCS 5/1-101 et seq.], the Architectural Barriers Act of 1968 (PL 90-480, August 12 1968, 82 Stat. 718), the Uniform Accessibility Standards (41 CFR 101-19.6 et seq.) and the American National Standards Institute No. A117.1-1986, and any laws, regulations or orders, State or Federal, which prohibit discrimination on the grounds of race, sex, color, religion, national origin, ancestry, marital status, unfavorable discharge from the military, the inability to speak or comprehend the English language, and any physical or mental disability handicap. The facility Program shall engage in an Affirmative Action Program as required by Section 504 of the Rehabilitation Act of 1973, as amended. Notice of compliance with these Acts must be posted in a public place within the facility physical plant of the Program so that all staff and clients have the opportunity to see it. Public information material must also include statements of compliance with these Acts.

- 2) The facility Program must comply with both Federal and State Departments of Labor Rules and Regulations (29 CFR 524 (1987), with no later amendments or editions) and 56 Ill. Adm. Code 200.500 respectively), governing wage requirements and be able to produce evidence of meeting such requirements.

- 3) The facility Program must comply with the Workers' Compensation Act (Ill. Rev. Stat. 198791, ch. 48, pars. 138.1 et seq.) [820 ILCS 305/1 et seq.].

(Source: Emergency Amendments at 17 Ill. Reg. 11701, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Section 530.130 Services
EMERGENCY

a) Program Definitions

For the purposes of this Part, the following terms shall have the following meanings:

- 1) Functional Vocational Assessment - a limited survey of an individual's vocational interests and abilities based on a particular Program's curriculum and DORS' counselor's requests.
- 2) Vocational Evaluation - an assessment of an individual's ability to function in a single area (e.g., clerical) or a broad-based assessment of the individual's interests and abilities utilizing a variety of tests, work samples, and situational assessments.
- 3) Psycho-social Evaluation - a vocational assessment which includes intensive counseling and case management in support of clinical services.
- 4) Community Based Work Assessment - observation of an individual in a community work setting by assessing his/her work skills, work habits and attitudes, social and personal characteristics, vocational interest, employment preferences, family support, and other needs.
- 5) Work Adjustment Training (WAT) - transitional, time limited training using individual or group situations. The goal of WAT is to assist the individual in understanding the meaning, value and demands of work and to develop the necessary skills and work attitudes necessary to achieve his/her employment outcome.
- 6) Psycho-social Rehabilitation - an approach to rehabilitation, usually used in the programming for the chronically mentally ill, that combines psychological, medical, vocational, educational and social components with an assertive outreach approach to develop, maximize and maintain the optimal level of functioning for the individual. The goal of psycho-social rehabilitation is

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

obtaining or maintaining competitive, supported or sheltered employment.

7) Skills Training - a formal training program of instruction with a written curriculum that develops skills and knowledge for a specific occupation or job family. Training may be in a community or non-community job site.

8) Transitional Employment - services provided to an individual at a community worksite which leads to competitive integrated employment.

9) Job seeking Skills Training - training to assist an individual to obtain the skills and knowledge to choose a reasonable employment objective and competitive employment.

10) Competitive Placement Services - a group of community-based services designed to assist an individual obtain a competitive employment outcome. Services include:

A) Assessment - services to assist an individual through observation of job readiness, transferable skills, social and personal characteristics, vocational interest, employment preferences, retention skills, and coping skills.

B) Job Development and Placement - services to assist an individual identify specific jobs that are available to him/her using job match techniques;

C) On-the-job Training - specific training on a specific job to assist an individual in obtaining specific skills and experience in that job; and

D) Follow-up Services - time limited services which provide direct and indirect support to an individual and/or employer to allow for adequate job adjustment and retention, or further job development and placement.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

12) Supported Employment Placement Services - services provided to an individual in a community integrated work setting. Services are provided through the place/train model. A job coach provides intensive training and support services required to allow the individual to function on the job-site.

1) ---PERS-incorporates-the-definitions-of functional-vocational-assessment;-vocational evaluation;-on-the-job-evaluation;-work-adjustment training;-skill-training;-placement-training;-and on-the-job-training-as-found-in-the-Commission-on Accreditation-of-Rehabilitation-Facilities. Standards-Manual-for-Organizations-Serving-People with-Disabilities-(1988;-with-no-later-amendments or-editions);-

2) ---"Suitable-employment"-is-defined-within-this Part-as-meaning:

-----A) ---competitive-employment---employment-in-the community-which-provides-the-client-at-least a-minimum-wage-reimbursement-and-fringe benefits-(e.g.-vacation;-sick-leave)-if-such benefits-are-offered-to-other-employees;

-----B) ---supported-employment---competitive-work-in-an integrated-work-setting-for-a-client-with-a severe-handicap(s)-for-whom-competitive employment-has-not-occurred-or-for-a-client for-whom-competitive-employment-has-been interrupted-or-intermittent-as-a-result-of-a severe-disability-(see-89-Ill.-Adm.-Code 552.110)-and-who-because-of-his-or-her handicap-needs-ongoing-support-services-as determined-by-the-counselor's-professional judgment-as-evidenced-in-the-IWRP-(89-Ill.-Adm.-Code-572.60)-to-perform-such-work---An integrated-work-setting-means-that-there-are eight-or-fewer-individuals-with-disabilities on-a-community-worksite;

-----C) ---sheltered-employment---employment-in-a rehabilitation-facility-work-program;-which has-been-certified-by-the-U-S-Department-of Labor-pursuant-to-29-CFR-525-(1987;-with-no

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

later amendments or editions) that provides the client with wages commensurate with his or her productivity in accordance with 29-CFR 525-9-11987, with no later amendments or editions) and fringe benefits if such benefits are offered to other employees

-----3)-----Competitive, supported, and sheltered employment must last for a minimum period of 60 calendar days and meet the following criteria:

-----A)-----the client and employer are each satisfied;

-----B)-----the client is maintaining adequate interpersonal relationships and acceptable behavior in the job environment (e.g., displays courteous behavior, no temper tantrums, no crying);

-----C)-----the occupation is consistent with the client's capacities, abilities, and interests as documented in the vocational evaluation;

-----D)-----the client possesses skills to perform or continue the work to the satisfaction of the employer;

-----E)-----the employment is regular (i.e., consistent in hours), permanent, and the client receives a wage commensurate with that paid others for similar work in accordance with Section 530-110-(d)(2) of this Part, and

-----F)-----the employment and working conditions will not aggravate the client's disability (e.g., an individual with asthma would not be expected to work in a plant which has a high level of dust) and the client's disability in the job situation will not jeopardize the health or safety of him/herself or others (e.g., an individual with uncontrolled seizure disorder should not operate heavy equipment);

b) Program Standards

1) Intake and Admissions

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

A) All referrals are must be screened by personal interviews and a reviews of recent medical examinations, psychological testing, and personal data to determine if the program can meet the client's needs.

B) A confidential case record, which includes the information obtained in accordance with subsection (b), must be maintained by the facility Program for each client receiving services from the facility program, and be available only to authorized personnel designated by the facility.

C) Referred individuals not accepted for programming shall be informed in writing of the reason(s) for non-acceptance and, if possible, referred to other appropriate resources in the community.

D) When programs have reached full capacity and waiting lists for admission exist, there are must be written procedures for the administration of the waiting lists and notification of service availability. This notification is documented in each referral file.

E) There must be clearly written entrance and exit criteria for each program offered by the facility Program.

F)---There must be a written procedure for entrance of the client into the facility

GE) As part of the entrance procedure, the client should receive a "Manual" which provides information on safety, services, salaries, fringe benefits, working conditions, standards of behavior expected, and client's rights.

2) Functional Vocational Assessment

A) Programs which include psychological testing shall be under the supervision of a Psychologist registered with the Illinois

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Department of Professional Regulation in accordance with the Clinical Psychologist Registration Licensing Act (Ill. Rev. Stat. 1989, ch. 111, pars. 535101 et-seq-) [225 ILCS 15/1].

B)---Facilities-Programs-must-obtain-a work-sample-in-accordance-with-the-Commission on-Accreditation-of-Rehabilitation Facilities'-Standards-Manual-for Organizations-Serving-People-with Disabilities-(1988;-with-no-later-amendments or-editions);

3) Evaluation

- A) An employee, with rehabilitation training and/or experience in evaluation techniques, must have the responsibility for managing the Evaluation Program.
- B) Written evaluation procedures shall identify objectives, evaluation sites, staff responsibility, and activities to be used in the evaluation procedure.
- C) Based on referral information, a written evaluation plan shall be developed for each client prior to admission. Each individual plan shall include:
- i) goals and objectives of the client's evaluation, and
 - ii) time frames for achievement of goals and objectives.
- D) An evaluation staffing shall be held at the completion of the program. Facility Program and DORS staff pertinent to addressing the evaluatee's needs must be in attendance. In all instances, the client must attend the staffing unless inappropriate due to client's physical and/or mental state (e.g., hospitalization) at which time a parent, family member, guardian, advocate or

ILLINOIS REGISTER 11718
DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

duly authorized representative of the client shall be invited to participate. Results of the staff meeting will be documented and become a part of the client's case record.

E) A written evaluation report shall be provided and interpreted to the client.

4) Training

- A) An employee(s) with rehabilitation training and/or experience must have the designated responsibility for managing the Training Program.
- B) Written training procedures and/or curricula shall include identification of training objectives, program length, training sites, staff responsibilities, and a general overview of the methods, equipment, and materials to be utilized.
- C) Based upon previous diagnostic findings and available data, an Individualized Written Training Plan is shall be developed prior to the client's entering training. The Plan includes:
- i) the condition(s) impediment(s) that exist which interfere with the client's vocational objectives;
 - ii) the overall anticipated outcome of the applied program;
 - iii) intermediate objectives to be reached in order to achieve the anticipated outcome;
 - iv) time frames associated with each planned intermediate objective and the overall outcome; and
 - v) identifiable indicators which will measure the success of the Plan.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

D) The facility Program must have vocational assessment information available which indicates that the client has interest in the job area, motivation and aptitudes for the job prior to placement in the program.

E) The facility Program shall have available work/job sites and ancillary programs necessary to meet the needs identified in the Individualized Written Training Plan.

F) ~~---The facility must have a written plan to meet the client's vocational training needs when work is not available.~~

6F) Training staffings are to be held at least every eight weeks for review of the client's plan and intermediate objectives. Facility staff pertinent to addressing the client's needs must be in attendance. Program and DORS staff pertinent to addressing the client's needs must be in attendance. In all instances, the client must attend the staffing unless inappropriate due to the client's physical and/or mental state, at which time a parent, family member, guardian, advocate or duly authorized representative of the client shall be invited to participate.

5) Placement and Follow-Up

EA) An employee with rehabilitation training and/or experience shall have the responsibility of coordinating the placement program.

BB) An Individualized Written Placement Plan shall be developed to establish the activities needed for a client to reach employment goals. The Plan shall include services needed to maintain employment and the responsibilities of the individuals involved in the Plan.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

AC) Placement services must be provided in accordance with the individual client's employment goals. Placement service should be provided to those clients in all work-oriented programs.

BD) Follow-up services shall be provided to ensure employment adjustment and retention. When problems related to the job occur, follow-up service will include additional programming (e.g., job coach, additional training, transportation assistance).

E) Placement staffings shall be held on a planned schedule at least every 4 weeks to review the placement/follow-up activities for each client and the need to modify the follow-up plan based on the client's changing needs. Written summaries of these staffings shall be provided to the client, DORS and all other individuals so authorized by the client.

F) ~~---A written follow-up plan shall be developed on each client placed, establishing services needed to maintain employment and responsibilities of individuals involved in the plan.~~

~~-----6)---Written summaries of placement staffings shall be provided to the client, the DORS counselor and others as authorized by the client.~~

HE) The placement specialist shall develop and maintain a written commentary on employer contacts to identify employment opportunities for persons with disabilities. The commentary would include the employer, contact person, types of jobs, necessary skills for the job and job openings.

6) Work Services

IA) Clients employed in the facility's program's work services program shall receive an employee's manual providing information on safety, services, salaries, fringe benefits,

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

working conditions, standards of behavior expected, and appeal rights.

JB) Minimum program standards for employment are:

- i) at least semiannually, the facility Program staff must assess each client's potential for community job placement. The client is shall be referred for other services, e.g., vocational evaluation, work adjustment, skill training, programs in industry, and job placement when facility Program staff determines that community placement may be a feasible goal (e.g., improvement in behavior, increase in productivity);

- ii) there is shall be no charge to the client for the "privilege" of employment per se. There may be, however, appropriate charges for optional and rehabilitation services. However, no charge shall be imposed without advance notice to and approval of the client. An itemized invoice is submitted to the client served, the legal guardian, or a third-party sponsor; and

- iii) within one year of entry into employment in the Work services Program, each client shall receives benefits commensurate with those provided other comparably classified non-disabled employees within the facility Program. In the event no comparable classification exists, the client is shall be provided annually, a minimum of five days paid vacation, five days paid sick leave, and five holidays with pay.

(Source: Emergency Amendments at 17 Ill. Reg. 11701, effective July 1, 1993, for a maximum of 150 days)

Section 530.140 Safety

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

EMERGENCY

a) Physical Plant

- 1) The physical plant of the facility Program and its environment is shall be arranged and maintained to assure compliance with the Illinois Accessibility Code (71 Ill. Adm. Code 400).
- 2) The facility Program Director shall designate a staff member who will be responsible for developing and maintaining a safety program in accordance with subsection (a).
- 3) An executive safety committee shall be appointed with clearly-defined responsibilities for the safety programs of the facility Program, including:
 - A) meeting at least quarterly to review the facility's Program's safety program and complete a written evaluation of the effectiveness of the program;
 - B) developing a written emergency plan detailing staff action and responsibilities, including provision for fire evacuation, power failure, and natural disasters;
 - C) establishing a program of accident prevention; and
 - D) establishing a system of accident reporting which shall also include a review of the incident reports made and recommendations for corrective action.
- 4) The facility Program staff shall conduct test drills of the emergency plan at least once each six weeks, with written results of the test drills being forwarded to the Director of the facility.
- 5) The facility Program shall have evidence of a satisfactory inspection by local or State fire control agencies at least once each 12 months, or sooner if required by State or local standards.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 6) The facility Program shall utilize, at least once every two years, competent safety specialists (e.g., a licensed or registered safety engineer, a representative of a state agency providing Occupational Safety and Health Administration type inspections on a consultative basis, a safety consultant or representative of the facility's Program's insurer) to complete safety surveys of all facility Program locations, programs, and equipment.

b) Emergency Treatment

- 1) The facility Program shall provide an area for temporary isolation and care of clients who become ill while at the facility Program.
- 2) The facility Program shall have a person(s) trained to render first aid, including cardiopulmonary Resuscitation (e.g., Red Cross, local hospital).
- 3) The facility Program shall have a written operational procedure designed to provide protection to all individuals in the facility Program in the event of catastrophic emergencies (e.g., fire, tornado, flood).

(Source: Emergency Amendments at 17 Ill. Reg. 11701, effective July 1, 1993, for a maximum of 150 days)

SUBPART C: CONTRACTS WITH COMMUNITY REHABILITATION
-----FACILITIES PROGRAMS-----Section 530.200 Disposition of Referrals
EMERGENCY

- a) When a facility Program refers a client to DORS for services, DORS shall notify the facility Program, in writing, of the disposition of the referral within 30 calendar days of receipt of the referral. This notification shall include the name of the counselor, the client's current status with DORS and/or any pertinent information regarding the client, including the possibility and projected date, of DORS funding of services for the client.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- b) When DORS refers a client to a facility Program for services, the facility Program shall notify DORS, in writing, of the disposition of the referral within 30 calendar days of receipt of the referral. This notification shall include the expected date of admission and/or any other pertinent information regarding the client's entry into the program, that the facility possesses---Pertinent information includes e.g., information about the disability, vocational and social history, educational background and medical and psychological information.
- c) Once a client is accepted for services and is involved in programming, both parties agree to notify one another of the termination of client services and/or sponsorship of services within five working days of the effective date actual-termination.

(Source: Emergency Amendments at 17 Ill. Reg. 11701, effective July 1, 1993, for a maximum of 150 days)

Section 530.230 Program Outcomes
EMERGENCY

To be claimed as a successful outcome, the following criteria in the indicated categories must be met.

- a)---The facility shall agree to provide services;--for which the facility has been approved by DORS;--upon referral; by DORS; of a client to the facility:-
- b)---Program outcomes shall be reported and monitored quarterly; on the DORS-"Successful Placement Report;" IB-488-1680;---The successful placement report provides information about DORS clients who have been placed; the type of job; wages; and hours;---This report shall be initiated by the facility and submitted to the Facility Specialist or the DORS-Contact person who shall see that the outcomes are verified by the appropriate DORS staff;---The completed report shall be returned to the Facility Specialist for distribution to the facility and appropriate DORS staff.

- a) To be considered to have achieved a successful outcome:

- 1) the individual must:

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

A) have a physical or mental disability which, for the individual, causes, or may cause, a substantial impediment to employment;

B) have an active IWRP and program placement plan; and

C) participate in at least one of the programs offered by the Program as evidence by group billings submitted to DORS.

2) These criteria must be met:

A) the employment outcome is consistent with the individual's abilities and interests;

B) the outcome meets the individual's needs in terms of income, security, opportunity for advancement and employment outcome;

C) the individual performs the job duties effectively and efficiently;

D) the employment and working conditions are not contraindicated based on his/her disability, and the client will not jeopardize the health and safety of others while on the job site;

E) the employment is regular and reasonably permanent; and

F) follow-up service plan has been developed and such services will be provided to the individual as necessary to afford the client every opportunity to maintain employment. Follow-up must be maintained for a minimum of 60 days after placement and stabilization of the client on the work-site.

b) DORS shall award a competitive outcome within a program operated program when:

1) the client is making at least minimum wage;

2) no other state or federal agency is funding the client as a sheltered employee (Section 530.130(a)(16)(C));

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

3) a job description is in place which gives evidence the position is an agency staff position;

4) the client receives the same benefits and privileges of employment as other agency employees; and

5) the site is integrated.

c) DORS shall award a successful Supported Employment outcome when the client has maintained job stability for a period of 60 days or more and extended services are being provided through a source other than DORS.

Supported Employment is community integrated employment for individuals with severe disabilities for whom competitive employment has traditionally not occurred or has been interrupted as a result of a severe disability and:

1) severely disabled workers are employed in groups of eight or less; and

2) the client is in need of, and is provided, on-going support services at a rate of at least 2 contacts per month.

d) DORS shall award a successful placement in work services when the client:

1) is offered an average of at least 20 hours of paid work per week per pay period;

2) earns at least 25% of the prevailing wage for the locality in which the job is performed; and

3) has maintained employment for at least 60 calendar days.

e) Outcome Verification

1) Successful outcomes will be reported monthly by programs paid through Level of Funding or Base Plus Performance agreements and quarterly by Fee for Service Programs.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 2) Successful outcomes are determined by the DORS counselor serving the particular client and are stated in the client's IWRP (89 Ill. Adm. Code 572). Verification depends upon the client achieving the employment outcome stated in his/her IWRP.

A) Multiple outcomes may be credited for the same client when the services provided by the program are needed for the client to attain each employment goal, the outcome identified was included in the client's IWRP and the client is making progress towards an integrated competitive employment outcome.

B) Two Programs may be awarded one-half an outcome credit when the client has participated in approved programming of each Program and the services provided by each Program were contributory to the achievement of the goal. No more than two Programs may share an outcome.

C) If the DORS counselor does not approve a successful outcome submitted by a Program, the counselor shall make written notice of the rejection to the Program.

(Source: Emergency Amendments at 17 Ill. Reg. 11701, effective July 1, 1993, for a maximum of 150 days)

Section 530.240 Rehabilitation-Facility-Contract
 -----Requirements Designated Program Week
 EMERGENCY

For those clients being provided with Rehabilitation-Facility services through a contract with DORS, the following requirements must be met:

-----a)-----An individual-written program plan is prepared by the facility in accordance with 89 Ill. Adm. Code 572 and agreed upon by the client and rehabilitation counselor prior to entry into any of the facility's programs (see Section 530.130(a) for definitions of the various programs) including placement.-----This plan must be submitted to DORS within five working days after the client enters the program.-----If the placement plan

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

indicates a vocational objective of sheltered employment, any needed ancillary services (e.g., transportation, medical services, equipment and clothing) will be identified, and an agreement regarding client financial participation must be reached.

-----b)-----Evaluation staffings will be held at the completion of the evaluation. Training and placement staffings will be held at least every eight weeks. The facility will provide information related to the client's planned program progress at the staffing and a written summary of the staffings to DORS within ten working days of the staffing. The summary will include date, attendees, discussions, conclusions, and recommendations. A DORS representative will be present for the staffings.

-----c)-----The facility will submit a final evaluation report upon completion of evaluation utilizing the Facility Evaluation Report (IL-488-0362) or a format containing the same information. The Facility Evaluation Report must include background information (e.g., disability, family, education, financial), interpersonal observations (e.g., peer relations, acceptance of authority, grooming, personal habits, work tolerance), vocational appraisal (e.g., intelligence, aptitudes, skills, interests), recommended goals (e.g., personal vocational short-term, long-term), and recommended program(s) and services (e.g., counseling, training, medical, educational). Training Progress Reports will be submitted at least every eight weeks utilizing the Facility Trainee's Progress Report (IL-488-0361) or a format containing the same information. The Training Progress Reports must include vocational performance and interpersonal personal observations. A final placement report should be completed after the client completes 60 days of satisfactory employment. Placement reports provide information on where the individual is placed, the hours worked per week, the wages, if there is a need for ongoing support, if there is a need for further services, current adjustment to job, and employer's input on job performance. All reports must be submitted within five working days of the end of the reporting period.

DEPARTMENT OF REHABILITATION SERVICES

93

NOTICE OF EMERGENCY AMENDMENTS

-----d)---The facility will contact the DORS Facilities Specialist prior to lay-offs in any of the components of the Sheltered Work Program:

Services purchased by DORS on a full time weekly basis shall offer at least 25 hours of program time per week. For placement services, the program hours will relate to the individual's needs and activities as outlined in the individual's Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572).

(Source: Emergency Amendments at 17 Ill. Reg. 11701, effective July 1, 1993, for a maximum of 150 days)

Section 530.250 Types of Contract EMERGENCY

a) Base Plus Performance

This contract is a partial assurance arrangement which divides the total dollars into two funding components. The purpose is to develop an individual client driven contract which allows the program to provide the needed array of services.

The "Base" component provides the guarantee that between 30 and 70 percent of the total contract dollars for a designated minimum number of program slots available to DORS clients will be paid to the Program. Each contract will specify the base percentage guaranteed the Program, which is determined by the Program during annual contract negotiations.

The "Performance" component provides payment for outcomes attained. The number of agreed upon outcomes is determined through negotiations between DORS and the Program. The balance of the total contract not used in the base component is divided by the number of projected outcomes to identify an outcome value which will be paid to the Program for each verified successful outcome achieved. In addition, Programs may be able to earn an additional percentage, up to the ceiling established by DORS, of the performance component amount for additional competitive outcomes.

Equal payments based on the entire contract will be made for the first 10 months. The 11th payment may be adjusted based on actual performance. The 12th and

93

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

final payment will be based upon the total outcomes reported and verified. If the Program exceeds both competitive and total outcome goals, DORS will allow payment for additional competitive outcomes. Payment for additional outcomes will be added to the 12th payment. All payments shall be based on each Program's contract.

b) Level of Funding

An arrangement whereby funds are set aside based upon the projected numbers of weeks of service that will be provided to DORS clients and successful outcomes. Contract dollars are earned through provision of services or the attainment of outcomes which ever is higher. This type of contract provides no payments for performance over and above the levels specified in the contract.

Equal payments based on the entire contract will be made for the first 11 months. The final payment will be made without adjustment when the service or outcome levels reach 90% of the projected levels. (If service and successful outcome levels both fall below 90%, the total contract will be reconciled at the higher level of the two).

c) Cooperative Working Rate Agreement

These are fee for service agreements that identify approved services and rates of payments. They require no contract and have no funding set aside or assured funding levels. The Program is paid only for services provided through individual authorization.

(Source: Emergency rule added at 17 Ill. Reg. 11701, effective July 1, 1993, for a maximum of 150 days)

Section 530.260 Statistical and Fiscal and
Administrative Standards and Procedures
EMERGENCY

The facility shall maintain the necessary records for the purpose of DORS audit which shall include:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- a)---Copies of all DORS "Notification of Approval for Facility Services" (IL-488-0317), cancellations and billings to include invoice vouchers and/or group billing sheets.
- b)---Records of client service hours which are to be kept by time clock, time cards, or time sheets,--time sheet(s) shall be signed by client(s).
- c)---Records of payments made to client(s) for lunches, transportation and/or maintenance when authorized by DORS in accordance with 89-III-Adm-Code-520,--Such records must include signed cash receipts or cancelled checks for such payments.
- d)---The facility will maintain effective control over and accountability for cash, real and personal property. Further, it shall have a financial and compliance audit performed in accordance with standards prescribed by DORS.

a) Facilities shall keep the following records for a minimum of 5 years:

- 1) copies of all forms and billings required by, and submitted to, DORS;
- 2) records of client service hours kept by time clock, time cards or time sheets signed by the client;
- 3) records of payments made to clients for lunches, transportation and/or maintenance when authorized by DORS. Such records must include a signed receipt or cancelled check for each payment; and
- 4) confidential case records as defined in Section 530.130.

b) Monitorings/Review

- 1) The DORS Regional Facility/Supported Employment Specialist shall review the service provisions specified in the Program's contract/agreement and successful placement reports monthly for each Program in his/her Region. Monthly reports will be compiled into quarterly reports and submitted

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

to DORS Central Office by the Regional Facility/Supported Employment Specialist no later than 30 calendar days of the end of each quarter.

- 2) On-site reviews shall be conducted by the Regional Facility/Supported Employment Specialist every 2 years for the purpose of determining if the essential components of the DORS contract are being carried out. A copy of the Program's evaluation management report shall be sent to the Regional Facility/Supported Employment Specialist annually.

- 3) The Division of Community Services will maintain statewide monitoring information on outcome and utilization levels, as well as expenditures made under cooperative working agreements with Programs. This information along with input from the Regional Community Facility/Supported Employment Specialist shall be used to identify Program contracts which need revision.

(Source: Emergency Amendments at 17 Ill. Reg. 11701, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- 1) Heading of the Part: Eligibility
- 2) Code Citation: 89 Ill. Adm. Code 552
- 3) Section Numbers: Emergency Action:
 552.10 Repealed
 552.20 Repealed
 552.30 Repealed
 552.35 Repealed
 552.40 Repealed
 552.50 Repealed
 552.60 Repealed
 552.70 Repealed
 552.80 Repealed
 552.90 Repealed
 552.100 Repealed
 552.110 Repealed
 552.120 Repealed

- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993

- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

- 7) Date filed in Agency's Principal Office: July 1, 1993

- 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act require immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.

DEPARTMENT OF REHABILITATION SERVICES

93

NOTICE OF EMERGENCY REPEALER

- 9) A Complete Description of the Subject and Issues Involved: The Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amended the Rehabilitation Act of 1973 dramatically change the eligibility criteria, determination time frames and the assessment for necessary services through DORS' Vocational Rehabilitation (VR) Program thus making this Part obsolete.

The new criteria for eligibility, etc. is now found at 89 Ill. Adm. Code 553 - ASSESSMENT FOR DETERMINING ELIGIBILITY AND REHABILITATION NEEDS.

- 10) Are there any other amendments pending on this Part? No

- 11) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives (if applicable):
 Not Applicable

- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warrner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429
 Telephone number: (217) 785-3896
 T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 552
 ELIGIBILITY
 (Repealed)

Section	General Applicability
552.10	EMERGENCY
552.20	Eligibility Determination
552.30	Criteria for Eligibility
552.35	Criteria for Interim Eligibility
552.40	Comprehensive Diagnostic Study
552.50	Preliminary Diagnostic Study
552.60	Requirement for Current General Medical Information
552.70	Requirements for Mental Health Evaluation
552.80	Comprehensive Diagnostic Study Decision
552.90	Thorough Diagnostic Study
552.100	Order of Selection
552.110	Criteria for "Severely Handicapped" Individual
552.120	Certification of Eligibility
EMERGENCY	

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(a),(b), and (k)).

SOURCE: Adopted at 9 Ill. Reg. 8792, effective June 10, 1985; amended at 11 Ill. Reg. 2846, effective January 27, 1987; amended at 12 Ill. Reg. 3715, effective January 15, 1988; amended at 12 Ill. Reg. 9711 effective May 23, 1988; amended at 13 Ill. Reg. 9576, effective June 12, 1989; amended at 15 Ill. Reg. 18921, effective November 16, 1989; amended at 15 Ill. Reg., effective June 14, 1991; Emergency Repealer at 17 Ill.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

Reg. 11733, effective July 1, 1993 for a maximum of 150 days.

Section 552.10 General Applicability
 EMERGENCY

Rules contained within this Part are applicable to all Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) clients.

Section 552.20 Eligibility Determination
 EMERGENCY

Any person referred to the Department of Rehabilitation Services (DORS) by a third party or by self-referral for receiving services shall undergo an eligibility determination, the results of which shall be shared with the individual (see Section 552.80).

Section 552.30 Criteria for Eligibility
 EMERGENCY

a) Eligibility for services in the vocational rehabilitation program is based only upon:

- 1) the presence of a physical or mental disability which, for the individual, constitutes or results in a substantial handicap to employment by preventing him or her from obtaining, retaining, or preparing for employment consistent with the individual's capacities and abilities, and
- 2) a reasonable expectation that vocational rehabilitation services may benefit the individual in terms of employability. (34 CFR 361.31, 1981) A reasonable expectation is a judgement made by the counselor after review of the medical, psychological, vocational and educational data supplied.

b) Eligibility is determined without regard to sex, race, age, creed, color, national origin, or type of disability.

c) There are no residency requirements for DORS services, but clients being served by agencies of another state cannot receive duplicate services from DORS. Clients having moved from Illinois will continue to be

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

eligible for services until the completion of services already authorized or until accepted by the other state for services.

d) In addition to the eligibility criteria listed in this Section, to be eligible for services through the Supported Employment Program, the client shall be:

- 1) an individual for whom competitive employment in an integrated setting (89 Ill. Adm. Code 617.55(a)) has not occurred, or has been intermittent or interrupted as a result of severe disability;
- 2) an individual who, because of his/her disability, will need extended services (89 Ill. Adm. Code 617.55(b)), as determined by the counselor's professional judgement as evidenced in the Individualized Written Rehabilitation Program (89 Ill. Adm. Code 572.60), to perform such work; and
- 3) able to work at least an average of 20 hours per week for each pay period.

Section 552.35 Criteria for Interim Eligibility
EMERGENCY

a) Prior to the completion of the eligibility determination, interim eligibility may be established when it is anticipated that eligibility can be determined within 90 calendar days of the date of Certification of Eligibility for Interim Services ("Certification") based on the following criteria:

- 1) presence of severe physical or mental disability which results in a substantial handicap to employment, based on at least one of the following:
 - A) a disability observable by the counselor, e.g. amputation, paraplegia, blindness;
 - B) counselor contact with physicians, psychologists, or other medical professionals;
 - C) information from a previous vocational rehabilitation file;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- D) applicant's self report (including description of disability and functional limitations to employment); and/or
 - E) verbal or written reports from employers, professionals from other agencies, family members, etc; and
- 2) the client has the ability to prepare for, obtain and maintain employment. This determination will be based on the information available to the counselor, e.g. grade transcripts; workshop reports; work, medical and personal histories.

b) The Client Financial Analysis will be completed prior to the initiation of interim services and the client will be subject to all financial requirements of formal service provision (89 Ill. Adm. Code 562).

c) Interim eligibility will begin with the date of Certification and may not exceed 90 calendar days. Only one period of interim eligibility will be allowed during the life of the case.

d) During interim eligibility, clients may receive any vocational rehabilitation service contained in 89 Ill. Adm. Code: Chapter IV, Subchapter b, with the exception of a Business Enterprise Program as described in 89 Ill. Adm. Code 597.20.

e) Services on the Individualized Written Rehabilitation Program (IWRP) for interim eligibility will be terminated no later than the end of the interim eligibility period, at which time one of the following must occur:

- 1) the client is determined to be eligible and services begin under a new IWRP (Section 552.30);
- 2) the client is determined to be ineligible for services, interim services will be terminated, and the client will be informed of the intent to close the case and the availability of Client Assistance Program services (89 Ill. Adm. Code 617.20);
- 3) extended evaluation is necessary to determine that reasonable expectation exists as defined in

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

Section 552.30(a)(2) and an IWRP for extended evaluation will be initiated (Section 552.80); or

- 4) eligibility has not been determined and all services, except diagnostics to determine eligibility, shall cease (Section 552.40).

Section 552.40 Comprehensive Diagnostic Study
EMERGENCY

- a) A diagnostic study will be provided to determine eligibility for services and the nature of services needed to attain a suitable vocational goal for the individual. At any time in this process that it is determined the individual is not eligible for Vocational Rehabilitation (VR) services, the diagnostic study shall cease.

- b) The client is responsible for cooperating in the diagnostic study, and must keep appointments and attend scheduled activities (e.g., doctor's appointments and diagnostic testing) related to the VR program. The client is also responsible for carrying out medical and other professional instructions (e.g., participation in a counseling program or obtaining a General Equivalency Diploma) related to his or her rehabilitation.

Section 552.50 Preliminary Diagnostic Study
EMERGENCY

The Preliminary Diagnostic Study shall consist of medical and psychological examinations, an evaluation by the counselor of the medical and psychological information in file, and a vocational assessment which may include vocational interest and aptitude testing to determine:

- a) whether the individual has a physical or mental disability which for that individual constitutes or results in a substantial handicap to employment, and
- b) whether VR services may reasonably be expected to benefit the individual in terms of employability.

Section 552.60 Requirement for Current General Medical
Information
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

The preliminary diagnostic study must include a current review of general health status. The counselor shall seek consultation regarding any aspect of a medical and/or psychological report needing clarification from the report's author or from a DORS medical consultant.

Section 552.70 Requirements for Mental Health Evaluation
EMERGENCY

An evaluation by a clinical psychologist or psychiatrist registered with the Illinois Department of Registration and Education or the State Board of Education is required in all cases in which the counselor suspects mental or emotional disorders based upon observation during discussions with the client or information contained in the client's case file.

Section 552.80 Comprehensive Diagnostic Study Decision
EMERGENCY

- a) Upon receipt of the information collected from the preliminary diagnostic study, the counselor will make one of the following decisions using the standards set forth in Section 552.30(a):

- 1) if a determination of whether vocational rehabilitation services might benefit the individual in terms of employability cannot be made, a certification authorizing an extended evaluation will be issued. An extended evaluation is a period of time required to evaluate rehabilitative potential, but not to exceed 18 months. The counselor shall review the case file information at least every 90 days to determine if the client meets the eligibility criteria contained in Section 552.30(a).

- 2) the applicant is eligible.

- 3) the applicant is ineligible.

- 4) case closure for reason other than ineligibility (see 89 Ill. Adm. Code 617.20).

- b) The client can appeal this decision, as set forth in 89 Ill. Adm. Code 510.

Section 552.90 Thorough Diagnostic Study
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

After an individual has been determined eligible for vocational rehabilitation services, there will be a Thorough Diagnostic Study to determine the nature and scope of services needed by the individual. The counselor will determine the extent of the Thorough Diagnostic Study based on the client's physical or mental disabilities and the results of the preliminary diagnostic study.

- a) This Study is a comprehensive evaluation, in all cases to the degree needed, of the individual's employability, personality, intelligence level, educational achievement, work experience, personal, vocational, and social adjustment, employment opportunities, recreational opportunities, and other pertinent data helpful in determining the nature and scope of services needed.
- b) The Study shall also include, as appropriate for each individual, an appraisal of the individual's pattern of work behavior, ability to acquire occupational skills, capacity for successful job performance, and the need for rehabilitation engineering services (i.e., the application of technologies, engineering methodologies or scientific principles to meet the needs of and address the barriers confronted by persons with disabilities).
- c) For Supported Employment Program clients, the Thorough Diagnostic Study must be, to the extent possible, a community based evaluation of the client's work abilities on competitive job sites rather than in facilities such as sheltered workshops.

Section 552.100 Order of Selection EMERGENCY

- a) After determining eligibility, counselors must follow the order of selection in purchasing services other than those of a diagnostic nature. Individuals shall be served in the following priority order (as set forth in 34 CFR 361.36, 1981):

- 1) severely handicapped persons;
- 2) non-severely handicapped public safety officers and civil employees who are injured in the line of duty;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- 3) non-severely handicapped public assistance recipients; and
- 4) all other non-severely handicapped persons.
- b) On a pilot basis, DORS will purchase and/or provide VR services as set forth in 89 Ill. Adm. Code, Chapter IV, Subchapter b for those individuals:

- 1) determined to meet the eligibility criteria specified in Section 552.30,
- 2) residing in Sangamon county,
- 3) meeting the criteria stated in subsection (a)(3) of this Section, and
- 4) referred for DORS' VR services by the Department of Public Aid as part of Project Chance (89 Ill. Adm. Code 112.70 - 112.85).

Section 552.110 Criteria for "Severely Handicapped" EMERGENCY

Rationale for determining that the individual is severely handicapped must be in the case file based on the following information. All four of the following criteria must exist for an individual to be determined "severely handicapped":

- a) The person has a severe physical or mental disability resulting from:
 - 1) amputation,
 - 2) arthritis,
 - 3) autism,
 - 4) blindness,
 - 5) burn injury,
 - 6) cancer,
 - 7) cerebral palsy,
 - 8) cystic fibrosis,
 - 9) deafness,
 - 10) head injury,
 - 11) heart disease,
 - 12) hemiplegia,
 - 13) hemophilia,
 - 14) respiratory or pulmonary dysfunction,
 - 15) mental retardation,
 - 16) mental illness,

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- 17) multiple sclerosis,
- 18) muscular dystrophy,
- 19) musculo-skeletal disorders,
- 20) neurological disorders (including stroke and epilepsy),
- 21) paraplegia,
- 22) quadriplegia (and other spinal cord conditions),
- 23) sickle cell anemia,
- 24) specific learning disabilities,
- 25) end stage renal failure disease, or
- 26) another disability or combination of disabilities if it is determined by an evaluation of rehabilitation potential to cause a comparable degree of substantial functional limitation similar to the specific list of disabilities above.

- b) The severe disability seriously limits one or more functional capacities such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance or work skills in terms of employability, and
- c) Multiple vocational rehabilitation services, e.g. 89 Ill. Adm. Code 592, Training Services; 89 Ill. Adm. Code 587, Medical, Psychological, and Related Services; 89 Ill. Adm. Code 602, Maintenance, will be required (2 or more), and
- d) These services will be required over an extended period of time (6 months or more).

Section 552.120 Certification of Eligibility
EMERGENCY

After completion of the preliminary diagnostic phase (and extended evaluation where necessary), a certification of eligibility must be made in the case file for applicants who meet all eligibility criteria. The certification statement must:

- a) be based on medical or psychological documentation,
- b) include a description of how the disability and any other factors constitute a substantial vocational handicap,
- c) include the rationale for the reasonable expectation that vocational rehabilitation services may benefit

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

the individual in terms of employability, incorporating evidence collected during the preliminary diagnostic study and extended evaluation (if done) which justifies this decision.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Illinois Center for Rehabilitation and Education/Community Residential Services for the Blind and Visually Impaired

- 2) Code Citation: 89 Ill. Adm. Code 730

Section Numbers:	Emergency Action:
730.10	New
730.20	New
730.30	New
730.200	Amended
730.210	Amended
730.220	Amended
730.230	Amended
730.250	Amended
730.400	Amended
730.410	Amended
730.420	Amended
730.430	Amended
730.440	Amended
730.460	Amended
730.600	Amended
730.650	Amended

- 4) Statutory Authority: Implementing and authorized by Sections 3(b), (f), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(b), (f), and (k)) [20 ILCS 2405/3(b), (f), and (k)].

- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993

- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

- 7) Date filed in Agency's Principal Office: July 1, 1993

- 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act required immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.

- 9) A Complete Description of the Subject and Issues Involved:

- 10) Are there any other amendments pending on this Part? No

- Section Numbers Proposed Action Illinois Register Citation

- 11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

TITLE 89: SOCIAL SERVICES

CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES

SUBCHAPTER e: COMMUNITY SPECIALIZED SERVICES FOR THE VISUALLY IMPAIRED/ILLINOIS-VISUALLY-HANDICAPPED-INSTITUTE

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

730.440 Transportation Services
EMERGENCY
730.460 Counseling and Personal Adjustment
EMERGENCY

SUBPART D: CLIENT CONDUCT

Section
730.600 Rules of Client Conduct
EMERGENCY
730.650 Discipline
EMERGENCY
730.700 Disciplinary Appeals (Repealed)

AUTHORITY: Implementing and authorized by Sections 3(b),(f) and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(b), (f) and (k) and 3443) [20 ILCS 2405/3 (b), (f), and (k) and 2405/12].

SOURCE: Adopted at 10 Ill. Reg. 6853, effective April 7, 1986; amended at 15 Ill. Reg. 6265, effective April 15 1991; amended at 17 Ill. Reg. 425, effective December 18, 1992; Emergency Amendments at 17 Ill. Adm. Reg. 11745, effective July 1, 1993, for a maximum of 150 days.

SUBPART A: ELIGIBILITY

Section 730.10 Definitions
EMERGENCY

For the purpose of this Part, the following terms shall have the following meaning:

Client - an individual being provided services through ICRE-Wood or CRSBVI.

Community and Residential Services for the Blind and Visually Impaired (CRSBVI) - a comprehensive adjustment training program offering independent living training in institutional and community settings for individuals who are blind or visually impaired. In an institutional setting, services are provided through the Illinois Center for Rehabilitation and Education (ICRE-Wood)

TITLE 89: SOCIAL SERVICES

CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES

SUBCHAPTER e: COMMUNITY SPECIALIZED SERVICES FOR THE VISUALLY IMPAIRED/ILLINOIS-VISUALLY-HANDICAPPED-INSTITUTE

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

730.440 Transportation Services
EMERGENCY
730.460 Counseling and Personal Adjustment
EMERGENCY

SUBPART D: CLIENT CONDUCT

Section
730.600 Rules of Client Conduct
EMERGENCY
730.650 Discipline
EMERGENCY
730.700 Disciplinary Appeals (Repealed)

AUTHORITY: Implementing and authorized by Sections 3(b),(f) and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(b), (f) and (k) and 3443) [20 ILCS 2405/3 (b), (f), and (k) and 2405/12].

SOURCE: Adopted at 10 Ill. Reg. 6853, effective April 7, 1986; amended at 15 Ill. Reg. 6265, effective April 15 1991; amended at 17 Ill. Reg. 425, effective December 18, 1992; Emergency Amendments at 17 Ill. Adm. Reg. 11745, effective July 1, 1993, for a maximum of 150 days.

SUBPART A: ELIGIBILITY

Section 730.10 Definitions
EMERGENCY

For the purpose of this Part, the following terms shall have the following meaning:

Client - an individual being provided services through ICRE-Wood or CRSBVI.

Community and Residential Services for the Blind and Visually Impaired (CRSBVI) - a comprehensive adjustment training program offering independent living training in institutional and community settings for individuals who are blind or visually impaired. In an institutional setting, services are provided through the Illinois Center for Rehabilitation and Education (ICRE-Wood)

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

Community Services Visually Handicapped (CSVH) - the community-based component of CRSBVI

ICRE-Wood - the facility operated by DORS which provides comprehensive services to enhance independent functioning in daily living skills, job retention skills, and pre-vocational skills to individuals who are blind or severely visually impaired.

Severely Visually Impaired - having central visual acuity of 20/100 or less in the better eye with best correction; or central visual acuity of better than 20/100 in the better eye with best correction, but a limitation in the visual fields of 20 degrees or less.

(Source: Emergency rule added at 17 Ill. Reg. 11745 effective July 1, 1993, for a maximum of 150 days)

Section 730.20 Eligibility
EMERGENCY

- a) A client of VR Program receiving services through ICRE-Wood must meet all the criteria set forth at 89 Ill. Adm. Code 553, except that a client need not have intermediate or long-range vocational goals that will result in a successful employment outcome.
- b) A CRSBVI client must be an individual who is blind or severely visually impaired who requires services to maintain or establish an independent living pattern.

(Source: Emergency rule added at 17 Ill. Reg. 11745 effective July 1, 1993, for a maximum of 150 days)

Section 730.30 Individualized Written Rehabilitation Plan
(IWRP)
EMERGENCY

- a) A client served under this Part may only receive services as outlined in the individual's IWRP pursuant to the provisions of 89 Ill. Adm. Code 572.
- b) In the completion of the IWRP for a client served through CRSBVI, the employment goal shall be a non-competitive goal, not a successful employment outcome.

(Source: Emergency rule added at 17 Ill. Reg. 11745, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

SUBPART B: PROGRAM SERVICES

Available Programs

Section 730.200

EMERGENCY

Individualized, goal-oriented programs are cooperatively developed and agreed to by the client and the Illinois Visually-Handicapped Institute (IVHI) ICRE-Wood staff.

(Source: Emergency Amendments at 17 Ill. Reg. 11745, effective July 1, 1993, for a maximum of 150 days)

Section 730.210 Activities of Daily Living

EMERGENCY

This program provides comprehensive training for IVHI ICRE-Wood clients which will enable them to more independently perform daily domestic chores. Skill training is given in:

- a) Personal Care and Grooming
- b) Cooking
- c) Cleaning
- d) Clothing care, Repair and Sewing
- e) Laundry
- f) Household Record Keeping
- g) Care of an Apartment their home environment
- h) Shopping

(Source: Emergency Amendments at 17 Ill. Reg. 11745, effective July 1, 1993, for a maximum of 150 days)

Section 730.220 Communication

EMERGENCY

The communications program teaches skills which will enhance the clients' abilities to communicate on a non-verbal basis using residual vision. Little or no sight. Training is given in:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- a) Braille;

- b) Typing key boarding;

- c) basic computer instruction;

- ed) Script and Pprint Writing;

- de) Common Electronic Equipment and Devices (e.g., calculators, recording devices, etc.)

(Source: Emergency Amendments at 17 Ill. Reg. 11745, effective July 1, 1993, for a maximum of 150 days)

Section 730.230 Home Mechanics

EMERGENCY

The purpose of this program is to teach skills to the clients which will enable them to perform routine home maintenance chores. Home Mechanics instruction is provided in conjunction with Activities of Daily Living training to present a comprehensive curriculum in the skills of independent living. The goal of this training is to assist the client in obtaining safe and efficient skills in the management of common household maintenance and repair. Training is provided in the following areas:

- a) Use of Common Hand Tools;
- b) Practical Electricity and Electronics;
- c) Practical Plumbing; and
- d) General Woodworking.

(Source: Emergency Amendments at 17 Ill. Reg. 11745, effective July 1, 1993, for a maximum of 150 days)

Section 730.250

EMERGENCY

Wellness Education, Haptic Arts, Leisure Activities and Other Programs

Additional programs offered at IVHI ICRE-Wood to provide its clients with skills which will enhance their ability to function intellectually and socially are:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- a) Low Vision Clinics, which assess a client's remaining visual functioning, determine if low vision aids, such as magnification devices, would improve the client's functioning, and teach the client how to use such devices.
- b) General Equivalency Diploma (GED) Instruction, which is offered to clients having the communications skills and cognitive ability necessary to benefit from it such instruction. It GED instruction prepares the client to take the General-Equivalency Diploma GED examination. To enroll in GED instruction, the client must have at least a 10th grade education. Clients with less than a 10th grade education will be provided remedial training so that they may access GED instruction upon attaining educational skills and knowledge at the 10th grade level.
- c) College Prep Instruction, which consists of training that enables visually impaired individuals to pursue college training (e.g., doing research and securing readers or recorded texts). The client must have a high school or GED diploma to be enrolled in this class.
- d) Leisure Time Activities include:
 - 1) Crafts bowling; and
 - 2) Clubs other social and recreational activities.
 - 3) ---Music
- e) Physical Education, which includes body-awareness, body-positioning, and spatial-orientation. Wellness education is provided to the client in an effort to promote better overall physical and mental health and well-being. This program includes instruction to assist the client in learning and accepting self-responsibility for his/her physical, mental, emotional and social health and well-being so that he/she may function at the highest degree of independence possible, thereby integrating into society as a contributing member at his/her fullest potential. Instruction is provided in the areas of:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 1) nutrition;
 - 2) physical fitness;
 - 3) environmental interaction;
 - 4) accident prevention and safety;
 - 5) medical management; and
 - 6) stress management.
- f) A-one-a-week-day-program-offering-an-abbreviated schedule-of-skill-training-selected-by-the-client;-an opportunity-to-socialize;-and-peer-support-for-blind individuals-55-years-of-age-and-older-from-the-greater Chicago-area-who-are-transported-by-IVHI-from-their homes- Senior day programming will be provided once per week for individuals who are at least 55 years old and blind or severely visually impaired. The focus of this program is to provide limited skills training with opportunity for participants to socialize and gain peer support. No residential services are available through this program.

(Source: Emergency Amendments at 17 Ill. Reg. 11745 effective July 1, 1993, for a maximum of 150 days)

SUBPART C: SUPPORT SERVICES

Section 730.400 Medical Services
EMERGENCY

- a) Medical staff available to clients at IVHI ICRE-Wood consist of a:
 - 1) Medical Director/Consultant,
 - 2) Ophthalmological Low Vision Consultants, and
 - 3) Supervising-Nurse-and-nursing staff who will provide comprehensive basic medical care.
- b) Visits with the consultant are scheduled through a member of the supervising-nurse nursing staff.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- c) Clients should report all accidents to the nurse. Clients must have medical insurance, Public Aid medical card, or have signed a release to authorize medical treatment at a no-charge medical facility.
- d) Clients should report to the nurse any illness which results in absence from scheduled activities. The nurse will then advise staff of clients who are too ill to attend class and/or meals.
- e) No prescription or non-prescription medications will be dispensed by any IVHf ICRE-Wood staff member except a registered professional nurse and only under a physician's orders. Upon admission to IVHf ICRE-Wood, the client must notify the nurse on duty of all prescription medications being taken. Staff nurse will dispense the medication to the client until such time as the client has shown the ability to identify specific medications prescribed and the proper procedures for using them. Registered professional nurses will monitor the client's self-medication until the client has demonstrated a knowledge of drug, dose, time, and side effects. Clients who are diabetic and not already proficient in self-medication will be instructed on self-administration.

- f) HIV Testing. In compliance with the AIDS Confidentiality Act (AIDS Act) (Ill Rev. Stat. 198991, ch. 111 1/2, par. 7301 et seq.) [410 ILCS 305/1 et seq.] and rules of the DPH (77 Ill. Adm. Code 697), a client may not be tested for human immunodeficiency virus (HIV) unless:

- 1) the client or legally authorized representative consents in writing, or
- 2) a DORS school employee has had an accidental direct skin or mucous membrane contact with the student's blood or body fluids which is of a nature that may transmit HIV, as determined by a physician in his or her medical judgement.
- 3) Test Information and Counseling. In compliance with the AIDS Act, if an HIV test is ordered by an IVHf ICRE-Wood physician, whether or not written, informed consent of the client or

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

legally authorized representative has been given, the physician shall provide the client with:

- A) the meaning of test results;
- B) additional or confirmatory testing, when appropriate; and
- C) referrals for further information or counseling.

- 4) Disclosure of Test Results. The person performing the test or the Superintendent, only if IVHf ICRE-Wood is authorized to obtain the test results, may only disclose results to the following people, who may not redisclose the results, except as authorized by the AIDS Act:

- A) the client or his or her legally authorized representative;
- B) anyone designated in an express release executed by the client or legally authorized representative;
- C) an employee who has had accidental contact as described in subsection (g) of this Section;
- D) the DPH (any redisclosure by a DPH employee in violation of the AIDS Confidentiality Act will result in disciplinary action taken by DPH); and
- E) any employee who (and redisclosure by a DORS employee in violation of the AIDS Confidentiality Act will result in disciplinary action taken by DORS):
 - 1) provides the client with medical services or such care as may involve contact with blood or body fluids of a client; and
 - 2) has a need to know such information (e.g., a health care provider who has

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

been involved in accidental direct skin or mucous membrane contact with the blood or bodily fluids of an individual with AIDS).

(Source: Emergency Amendments at 17 Ill. Reg. 11745, effective July 1, 1993, for a maximum of 150 days)

Section 730.410 Equipment Loans
EMERGENCY

Staff members may loan IVHICRE-Wood equipment such as Braille writers and tape recorders to a clients for their his/her use when it is available and needed for class assignments. A record of the loaned equipment will be kept by IVHICRE-Wood. The length of the loan is based upon the purpose of the loan. Loaned equipment might also be recalled for inventory purposes. The clients will be held responsible for the repair or replacement of damaged or lost equipment. Failure by the client to repair or replace equipment loaned to him/her shall result in removal from the Program.

(Source: Emergency Amendments at 17 Ill. Reg. 11745 effective July 1, 1993, for a maximum of 150 days)

Section 730.420 Telephone Services
EMERGENCY

- a) Clients must use the pay phones located in the lobby, lounge, or dormitory hallway when making personal calls. Unless an incoming call is an emergency (e.g., death or hospitalization of a client's family member), clients will not be called to the telephone during class periods or after 11:00 p.m. However, the receptionist at the front desk will take messages for the clients during these times.
- b) Clients should limit all telephone calls to 5 minutes so that others can use the telephone.

(Source: Emergency Amendments at 17 Ill. Reg. 11745, effective July 1, 1993, for a maximum of 150 days)

Section 730.430 Dietary Services
EMERGENCY

ILLINOIS REGISTER 11758
DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

a) --- Meals are served in the cafeteria daily from 7:45 a.m. to 8:35 a.m.; 12 p.m. to 1 p.m.; and 4:30 p.m. to 6 p.m. --- Clients are not called for meals, but must assume responsibility for reporting to the dining room on time. --- Meals will not be served outside the time allowed unless an excused absence (e.g., doctor's appointments and scheduled group outings) or medical necessity has prevented eating at the scheduled times.

Morning, noon and evening meals will be served at designated times daily. Clients are not called for meals, but must assume responsibility for reporting to the dining room on time. Meals are not served outside the time allowed unless an excused absence (e.g., doctor's appointment and scheduled group outings) or medical necessity has prevented eating at the scheduled time. b) Snacks are distributed at designated times after the evening meal. Between 8-8:30 p.m. At no time shall cooking or food preparation be allowed in a dormitory room.

(Source: Emergency Amendments at 17 Ill. Reg. 11745, effective July 1, 1993, for a maximum of 150 days)

Section 730.440 Transportation Services
EMERGENCY

The IVHICRE-Wood driver is available to clients on an as-needed basis to transport clients to medical appointments and railroad and bus stations. Request for this service is made at least 24 hours in advance to the case manager executive secretary or nurse, depending on the destination. In situations when the nurse or case manager is not available and the need for transportation is urgent, management staff will approve the request.

(Source: Emergency Amendments at 17 Ill. Reg. 11745, effective July 1, 1993, for a maximum of 150 days)

Section 730.460 Counseling and Personal Adjustment
EMERGENCY

- a) Psychological and vocational counseling are available to a client Psychological, supportive and general counseling shall be provided by the ICRE-Wood psychologist to assist the client in adapting and coping with his/her visual loss. In addition, psychological testing and assessment may be provided to evaluate the client's service needs.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- b) Vocational counseling is provided to clients in the VR program to assist the client in formulating vocational goals and plans to return to work and independent functioning.

IVHI provides social and vocational counseling and personal adjustment services to clients to assist them in adapting to their impairment. These services include:

-----a)-----Social-Services

-----b)-----Psychological-Services

(Source: Emergency Amendments at 17 Ill. Reg. 11745, effective July 1, 1993, for a maximum of 150 days)

SUBPART D: CLIENT CONDUCT

Section 730.600 Rules of Client Conduct
EMERGENCY

- a) For security reasons, when leaving and returning to the building, clients must comply with the following procedures:
- 1) Notify the front desk.
 - 2) When going away overnight to a place other than their own home, adults and minors are encouraged to leave at the front desk an address and telephone number where they can be reached. Minors must also have a letter of permission from their parents or guardian and a written invitation from the person with whom they plan to stay overnight.
 - 3) Always carry a white cane or be accompanied by a guide dog when leaving the building.
 - 4) Clients attending IVHI ICRE-Wood for training may leave the building under their own responsibility when it does not conflict with their scheduled activities.
 - 5) The nurse must be advised as soon as possible when a client plans to miss any meals, since the

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

nurse is responsible for reporting to dietary the number of meals to prepare.

- b) Evening Hours

No client can enter or exit the building after 12:00 a.m. -Clients-under-21-must-comply-with-local-curfew-laws.

- c) Weekends

Clients may go home for the weekends. Clients wishing to stay over the weekend must notify the nurse or a member of the management staff by the preceding Wednesday.

- d) Commuters

1) Commuters whose class schedules require them to be at IVHI ICRE-Wood immediately before and after lunch hour may arrange through the Program Director to have lunch provided.

2) Commuters have the same rights as resident clients in using the building (with the exception of the dormitories), but should leave the institute ICRE-Wood by the close of visiting hours, unless there is an evening class or activity in which they are involved. They should then leave as soon as class or activity is finished. Lockers for commuters are located in the basement near the bowling alley. Keys to lockers can be obtained from the front desk.

- e) Visitors

Visiting-hours-are-5:30-p.m.-to-10:00-p.m.-Monday--Thursday,-5:30-p.m.-to-12-a.m.-Friday,-8:00-a.m.-to-12:00-a.m.-on-Saturdays,-and-8:00-a.m.-to-10:00-p.m.-on-Sundays.-The-lobby-area,-student-lounge-and-cafeteria-are-available-for-the-visits.-Relatives-and-friends-can-assist-clients-with-carrying-luggage-to-their-rooms.-Visitors-must-sign-in-and-out-at-the-front-desk.-Visitors-will-remain-in-the-lobby-until met-by-the-receiving-client.-Clients-are-responsible-for-the-conduct-of-their-guests.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Visitors are allowed only at designated times and in designated locations. Visitors must sign in and out. Visitors will be required to remain in the lobby until met by the client to be escorted to a designated area. A client is responsible for the conduct of his/her guest(s).

f) Smoking

Smoking is permitted in the building except in classrooms, hallways, and the locker room. Clients must not smoke in bed.

Smoking is prohibited in all areas except those designated as smoking areas. Clients must not smoke in bed.

g) Dormitory

1) Courtesy and consideration for others must always be exercised. Activity in the hall and rooms must be conducted in a manner which does not result in complaints from the other residents.

2) For courtesy to their roommates, all clients should be in their rooms by 1:00 a.m. Sunday through Thursday, 3:00 a.m. on Fridays and Saturdays.

3) Clients are not permitted to eat their meals in their dormitory unless they are confined in bed due to illness. The nurse will arrange for meals to be brought to such clients. Snack food may be kept in dormitory rooms but must be stored in metal containers.

4) Electrical appliances or other equipment, e.g., hot plates, popcorn poppers, etc., and other appliances that can be a fire hazard or result in damage to property are not to be brought into the dormitory.

5) All clients are expected to make their beds and keep their dressers and closets in order. Dust cloths and dry mops are provided for cleaning.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

6) Dormitory windows must be kept closed since because opening them affects the air and heating systems and sets off the burglar alarms.

7) Men and women are not allowed in each other's dormitory.

h) Public Areas

Clients who cause disruptions in public areas (i.e., ICRE-Wood's lobby, library, multi-purpose room, or client lounge) will be disciplined per Section 730.650 (c)(2).

i) Classrooms

Classrooms are not to be used outside of class hours without the permission of the teacher in charge and will only be done when the use of the classroom is work related.

j) Class Attendance

1) Clients are required to attend all scheduled classes and activities and arrive promptly at the beginning of on time for each period.

2) Excused absences from classes must be cleared in advance with each teacher involved, or in the case of illness, with the nurse.

3) If illness or other emergencies arise when the client is not at ICRE-Wood which will delay his or her return, they must be reported by telephone to the Program Director, or by letter if a phone call is not possible.

4) If a client becomes ill while at ICRE-Wood and he/she will be bedridden, he/she will be sent home immediately. If the illness causes the client to miss 3 or more consecutive days of programming, he/she must have a statement, signed by a physician prior to his/her return. The statement must include the cause of the illness and ensure the client's condition is now stable.

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

- 45) If a client wishes to delete a class from his/her program, it must be discussed with the teacher involved and the case manager. The program will be changed, if appropriate, based on the client's reason for the requested change, the need for the class in relation to the client becoming independent, and the client's demonstrated level of functioning in the class.

(Source: Emergency Amendments at 17 Ill. Reg. 117.45, effective July 1, 1993, for a maximum of 150 days)

Section 730.650 Discipline
EMERGENCY

- a) If a client cannot or will not adhere to IVH's ICRE-Wood's policies, as contained within this Section, and procedures, violations will be reported as in subsection (d) and (e) and disciplinary actions taken.
- b) The following infractions will result in immediate suspension from the IVH ICRE-Wood building and its programs. Suspension for a first offense will normally not exceed 15 class days, but may be longer or permanent based on the severity of the infraction and at the discretion of the ICRE-Wood superintendent. A second infraction shall result in permanent suspension. of up-to-15-class-days-with-a second-violation-resulting-in-permanent-discharges (See-subsection-(e)): Suspensions may be made for the following reasons:
- 1) bringing liquor, illegal substances, or weapons including knife blades of over three inches into the Institute, any of ICRE's facilities;
 - 2) physical violence or threats of physical violence towards another client or any staff member;
 - 3) stealing from ICRE, staff or another client.
- 7 In no instance, if restitution is not made within the period of suspension, will the client will-not be permitted to return;

- 4) destroying either another-client's-or-the-institute's property of ICRE, staff or another client.; {In no instance, if restitution is not made within the period of suspension, will the client will-not be permitted to return};
 - 5) three or more absences not cleared in advance per Section 730.600(j)(2) from the same scheduled class or activity.
- c) Infractions at IVH any ICRE facility which are listed below will, as set forth by subsection (e), result in counseling with the client's case manager VR counselor and the Program Director with a second infraction of the same rule resulting in a suspension for up to 15 class days and a third infraction resulting in permanent discharge:
- 1) consuming alcohol to the point of excess outside of any of ICRE's facilities the-institute so that the client creates a disturbance upon returning;
 - 2) discourtesy, including verbal abuse of staff or other clients or other disruptive behavior that will result in a complaint;
 - 3) violating State (Ill. Rev. Stat. 1983, ch. 24, pars. 11-8-1 et seq.) [65 ILCS 5/11-8-1 et seq.] and local fire regulations;
 - 4) men visiting the women's dormitory and vice versa,
 - 5) sexual misconduct (e.g., indecent exposure, or sexual intercourse).
- d) Reports of infractions should be reported to the Dorm Workers, Case-Managers, Counseling-Coordinator, or Program Director, supervising nurse on duty, or other management staff as soon as possible.
- e) When a violation listed in subsection (b) or (c) is alleged to have occurred, the Counseling Coordinator or Program Director will recommend to the Superintendent of IVH ICRE-Wood that disciplinary action be taken.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 1) Within two days of receiving a recommendation for disciplinary actions, the Superintendent will convene a hearing on which to base the disciplinary decision.
- 2) The hearing will include a review of the evidence, any verbal or written evidence (e.g., documentation of previous infractions), of the violation which led to the recommendation for disciplinary action and testimony by the client. Testimony by witnesses is also admissible. The client will may be assisted by a person of the client's case choice manager in presenting his or her responses if the client so desires.
- 3) Based upon the findings of the hearing and subsections (b) and (c) the Superintendent will, at the time of the hearing, determine what if any action will be taken and will notify the client at that time.
- 4) Disciplinary actions are appealable under Section 730.700 and the client shall be informed of the right to appeal and the related procedures at the time of the Superintendent's decision.

(Source: Emergency Amendments at 17 Ill. Reg. 11745, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Impartial Hearing Officer Standards
- 2) Code Citation: 89 Ill. Adm. Code 1177
- 3) Section Numbers: 1177.10
Emergency Action: Amended
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3429(g)) [20 ILCS 2405/0.01], authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16), [20 ILCS 5/16] and Section 10-20 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1010-20) [5 ILCS 100/10-20].
- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993
- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:
- 7) Date filed in Agency's Principal Office: July 1, 1993
- 8) Reason for Emergency: The Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973 requires immediate implementation of the provisions of the amendments by each state's Vocational Rehabilitation (VR) agency.
Failure on the part of the VR agency to implement these changes jeopardizes federal funding for the program thus endangering the life, health and welfare of all current clients of the VR Program and those who may be eligible for VR services throughout Illinois.
- 9) A Complete Description of the Subject and Issues Involved: These amendments update the requirements that must be met for closure of a VR case, as required by the Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973.
- 10) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable
- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule(amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENT

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE D: CODE DEPARTMENTS
CHAPTER XX: DEPARTMENT OF REHABILITATION SERVICES

PART 1177
IMPARTIAL HEARING OFFICER STANDARDS

SUBPART A: IMPARTIAL HEARING OFFICER STANDARDS

Section
1177.10 Impartial Hearing Officer Standards
EMERGENCY

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434(a))[20 ILCS 2405/3a], authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16)[20 ILCS 5/16], and Section 10-20 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1010-20)[5 ILCS 100/10-20].

SOURCE: Adopted at 2 Ill., effective August 3, 1992; emergency amendment at 17 Ill. Reg. 11766, effective July 1, 1993, for a maximum of 150 days.

Section 1177.10 Impartial Hearing Officer Standards
EMERGENCY

A hearing officer conducting a Level II Hearing (Impartial Hearing Officer) in accordance with this Part may not be an employee of DORS, a member of DORS' Rehabilitation Services Advisory Council, or an employee of any public agency, with the exceptions of administrative law judges, hearing examiners or employees of institution of higher education. Involved in any decision regarding the furnishing or denial of rehabilitation services to a DORS applicant or client and shall have the following qualifications:

- a) be at least 21 years of age;
- b) have a bachelor's degree or equivalent professional experience in the area of human services;
- c) have background and experience in, and knowledge of, the delivery of vocational rehabilitation services, the title I State Plan and federal and DORS rules governing the provision of services;

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENT

- d) have the ability to be fair and impartial and to remove him/herself if he/she has a conflict of interest; and
- e) have no personal or financial conflicts of interest; and
- ef) have attended DORS Impartial Hearing Officer Training.

(Source: Emergency amendments at 17 Ill. Reg. 11766, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Individualized Written Rehabilitation Program (IWRP)
- 2) Code Citation: 89 Ill. Adm. Code 572
- 3) Section Numbers:
572.20 Amendments
572.30 New Section
572.50 Amendments
572.60 Repealed, New
572.70 Amendments
572.80 Amendments
572.90 Amendments
572.100 Amendments
572.110 New Section
- Emergency Action:
Amendments
New Section
Amendments
Repealed, New
Amendments
Amendments
Amendments
New Section
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].
- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993
- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:
- 7) Date filed in Agency's Principal Office: July 1, 1993
- 8) Reason for Emergency: The Rehabilitation Act Amendments of 1992 (P.L. 102-569), which amends the Rehabilitation Act of 1973 requires immediate implementation of the provisions of the amendments by each state's Vocational Rehabilitation (VR) agency.
Failure on the part of the VR agency to implement these changes jeopardizes federal funding for the program thus endangering the life, health and welfare of all current clients of the VR Program and those who may be eligible for VR services throughout Illinois.
- 9) A Complete Description of the Subject and Issues Involved:
These amendments and new Sections add and revise the requirements for inclusion in the IWRP pursuant to (P.L. 102-569).

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

- 10) Are there any other amendments pending on this Part? No
- Section Numbers Proposed Action Illinois Register Citation
- 11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable
- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule(amendments, repealer) begins on the next page:

ILLINOIS REGISTER 11772
93 93

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 572
INDIVIDUALIZED WRITTEN REHABILITATION PROGRAM (IWRP)

Section	General Applicability
572.10	Commencement of the IWRP
572.20	
EMERGENCY	
572.30	Purpose of the IWRP
EMERGENCY	
572.40	Coordination of the IWRP with an Individualized Education Program (IEP)
572.50	General Information on IWRP Development and Implementation Content
EMERGENCY	
572.60	Contents Format of the IWRP
EMERGENCY	
572.70	Services to Families
EMERGENCY	
572.80	IWRP Amendments
EMERGENCY	
572.90	Notice of Changes to the IWRP
EMERGENCY	
572.100	Case File Documentation
EMERGENCY	
572.110	Review of IWRP
EMERGENCY	
572.200	Reporting of Client Participation

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 198991, ch. 23, pars. 3434(a),(b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

SOURCE: Adopted at 9 Ill. Reg. 8801, effective June 10, 1985; amended at 11 Ill. Reg. 5144, effective March 17, 1987; amended at 14 Ill. Reg. 18561, effective November 5, 1990.; amended at 15 Ill. Reg. 17367, effective November 19, 1991; emergency amendments at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum of 150 days.

Section 572.20 Commencement of the IWRP
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

The Individualized Written Rehabilitation Program (IWRP) shall be initiated after the certification of eligibility Comprehensive Assessment Summary (89 Ill. Adm. Code 553.100) or certification for extended evaluation (89 Ill. Adm. Code 553.80)

(Source: Emergency Amendments at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum 150 days)

Section 572.30 Purpose of the IWRP EMERGENCY

- a) The IWRP is a non-binding agreement between the client and DORS which outlines the services which DORS intends to provide or to assist the client in the attainment of, to enhance the capacity of the client to achieve his/her employment objective(s).
- b) The IWRP identifies the program of services that will assist the individual to achieve his/her employment objective consistent with his/her unique strengths, resources, priorities, concerns, abilities and capabilities.
- c) All services which will be provided to a client after eligibility has been determined and a Comprehensive Assessment of Rehabilitation Needs to the extent necessary for the individual client has been completed must be listed on his/her IWRP.

(Source: Emergency Rule added at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum of 150 days)

Section 572.50 General Information on IWRP Development -----and Implementation Content

EMERGENCY

- a)---DORS regards the IWRP as a non-binding agreement between the agency and the client documenting the planned provision of those elements contained in Section 572.60.

-----b)---Vocational rehabilitation services can only be provided if in accordance with the IWRP;

-----c)---Client participation in IWRP and amendment development is necessary.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

-----d)---A copy of the IWRP and any amendments must be provided to the client.

-----e)---if there is a change in the vocational objective, an explanation as to why the change was made must be contained in the case file.

- a) After completion of the Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.100), an IWRP must be developed to outline the specific services which the client will receive to enhance the ability of the client to achieve his/her employment objective(s).
- b) The IWRP must be jointly developed, agreed to and signed by the client, or as appropriate the client's parent, family member, guardian, advocate, or authorized representative and the counselor.
- c) The IWRP must contain the following:
 - 1) a statement of the long term rehabilitation goals based on the Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.100) including an assessment of the client's career interests, the goal for which shall be, to the maximum extent possible, an employment outcome in an integrated setting;
 - 2) a statement of intermediate rehabilitation objectives related to attainment of the client's employment goal and how these objectives are to be met, based on the informed choice of the client, in the most individualized and integrated setting;
 - 3) a statement of the specific VR services to be provided, with anticipated beginning and ending dates for each service;
 - 4) an assessment, and a reassessment prior to case closure, of the expected need for post-employment services;
 - 5) an objective criteria and evaluation method, with specific dates, to determine if the goals and objectives are being met;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 4) a statement describing how services shall be provided or arranged through cooperative agreements with other service providers.

(Source: Emergency Amendments at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum of 150 days)

Section 572.60 Contents of the IWRP Format of the IWRP EMERGENCY

The IWRP shall contain the following elements:

- a)-----the basis on which a determination of eligibility--(89 Ill. Adm. Code 552.30(a))--or the need for extended evaluation--(89 Ill. Adm. Code 552.80(a))--was made;
- b)-----a vocational goal and the objectives established to meet that goal (the counselor must provide a written rationale for the vocational goal);--the objectives shall be consistent with the functional limitations (e.g., the aspects of a severe disability which limit an individual's capacities in the function(s) of mobility, communication, self-care, self-direction, interpersonal skill, work tolerance and/or work skills as it relates to employment)--from the eligibility determination (within the scope of 89 Ill. Adm. Code--Chapter IV, Subchapter B Vocational Rehabilitation);
- c)-----specific services to be provided to achieve the objectives;
- d)-----beginning and ending dates for each service;--For any cases with a supported employment goal, Vocational Rehabilitation (VR) funding, per 34 CFR 363.7 (1987), for services can be provided for a maximum cumulative period of 18 months from initial date of placement;
- e)-----a procedure and schedule for monitoring progress toward achieving objectives;--Based upon objective criteria; and a record of these evaluations; Counselors shall insure that the IWRP is reviewed at least annually with documentation that the client was involved, indicated by the signature of the client or representative appointed by the client on the IWRP amendment or a notation in the client's case file by the counselor, stating that the client was involved

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 6) a description of the terms and conditions under which services will be provided to the client in the most integrated setting possible;

- 7) identification of the entity or entities that provide VR services to the client and how the client will receive the specific services (e.g., by attending an on-site training program, by office visits to a medical service provider, etc.);

- 8) a statement by the client, in the client's words, or if appropriate, by a parent, family member, guardian, advocate or authorized representative, describing how the client was informed about his/her options regarding his/her objectives, services, service providers and methods of service procurement and how he/she was involved in making these choices;

- 9) the client's rights and remedies, including recourse under the appeals process (89 Ill. Adm. Code 510);

- 10) a description of the availability of services through the Client Assistance Program; and

- 11) information regarding other related benefits and services the client may access, which will not be services DORS will assist in obtaining, but which may assist in the attainment of his/her employment goal.

- d) As appropriate, the client's IWRP must also contain:

- 1) identification of necessary rehabilitation technology services;
- 2) identification of the anticipated need for on-the-job and related Personal Assistance services;
- 3) assessment of the client's needs for extended services, and prior to case closure after attainment of the employment goal, reassessment of such needs; and

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

in-a-conversation-with-the-counselor-regarding-the IWRP;

-----f)-----the-client's-views-regarding-the-goals,-objectives, and-services;

-----g)-----the-terms-and-conditions-for-the-provision-of services,-including-the-client's-responsibilities, the-extent-of-client-participation-in-service-cost, and-the-use-of-similar-benefits-(as-set-forth-in-89 Ill.-Adm.-Code-567-Similar-Benefits);--Similar benefits-must-be-used-unless-a-search-for-similar benefits-would-delay-the-provision-of-VR-services-to a-client-who-is-at-extreme-medical-risk,-based-upon medical-evidence-provided-by-a-licensed-medical professional-(e.g.,-physician-licensed-pursuant-to the-Illinois-Medical-Practice-Act-(Ill.-Rev.-Stat. 1989,-ch.-111,-par.-4401-et-seq.);-

-----h)-----client-responsibilities,-notation-of-client-views, and-the-client's-signature-evidencing-participation in-the-development-and/or-amendment-of-the individualized-Written-Rehabilitation-Program (IWRP);--If-client-views-or-signature-are-not present,-there-must-be-a-notation-on-the-IWRP-as-to the-reason-for-their-absence;

-----i)-----an-assurance-that-the-client-has-been-informed-of his/her-right-to-appeal-and-the-availability-of-the Client-Assistance-Program-(CAP);-

-----j)-----the-basis-on-which-the-individual-has-been-determined rehabilitated,-for-any-case-which-has-been-closed rehabilitated;

-----k)-----justification-and-plans-for-the-provision-of post-employment-services-(as-set-forth-in-89-Ill.-Adm.-Code-622-Post-Employment-Services);-and

-----l)-----the-name-of-the-state,-federal-or-private-entity-that shall-provide-extended-services;-if-the-client-will need-such-services-after-case-closure;

A copy of the original IWRP and any amendments must be provided to the client and must, to the maximum extent possible, be provided to him/her in his/her native language or mode of communication, or, as appropriate, in the native language or

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

mode of communication of the parent, family member, guardian, advocate or authorized representative.

(Source: Section Repealed, New Section added by emergency action at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum of 150 days)

Section 572.70 Services to Families
EMERGENCY

The-Department-of-Rehabilitation-Services-(DORS) shall provide Vocational-Rehabilitation VR services as contained in 89 Ill. Adm. Code: Chapter IV, Subchapter b "Vocational Rehabilitation" to a client's family members when those services are necessary to assist the client in attaining or retaining a suitable vocational-goal employment outcome.

(Source: Emergency Amendments at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum of 150 days)

Section 572.80 IWRP Amendments
EMERGENCY

a) Any change to an individual's planned program of services, vocational goals, or objectives requires an IWRP amendment to the IWRP. The case file must have documentation reflecting the reasons for an the amendment. Closures require an IWRP amendment.

b) Any amendments or revisions resulting from an annual review (89 Ill. Adm. Code 572.110) shall not take effect until the changes are agreed to and signed by the client or, as appropriate, the parent, family member, guardian, advocate or authorized representative.

(Source: Emergency Amendments at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum of 150 days)

Section 572.90 Notice of Changes to the IWRP
EMERGENCY

Adequate, timely notification of any DORS - initiated change to the IWRP must be provided to the client. Such notification must be made in writing at least 15 work days prior to the effective

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

date of change unless the client has signed the IWRP indicating agreement with the change. The notification must state the items contained in conform to 89 Ill. Adm. Code 510.60(d).

(Source: Emergency Amendments at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum of 150 days)

Section 572.100 Case File Documentation EMERGENCY

The client's case file must contain documentation and justification for any counselor's decision to provide, deny, or alter any services, based on the client's and counselor's knowledge of the client's service needs, the availability of appropriate services for the client, and the Department's DORS rules (89 Ill. Adm. Code: Chapter IV, Subchapter b, "Vocational Rehabilitation").

(Source: Emergency Amendments at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum of 150 days)

Section 572.110 Review of IWRP EMERGENCY

An IWRP shall be reviewed whenever necessary, but at least annually, to ensure that services being provided are adequate and appropriate to ensure the client a successful employment outcome.

(Source: Emergency Rule added at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

1) Heading of the Part: Maintenance

2) Code Citation: 89 Ill. Adm. Code 602

3) Section Numbers: Emergency Action:
602.10 Repealed
602.20 Repealed

4) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993

6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

7) Date filed in Agency's Principal Office: July 1, 1993

8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act require immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.

9) A Complete Description of the Subject and Issues Involved:
This Part is being repealed due to the changes required by the 1992 Amendments to the Rehabilitation Act. As the changes required by the amendments are so dramatic, most of the provisions contained in this Part are no longer applicable or appropriate, thus necessitating repeal of the Part.

10) Are there any other amendments pending on this Part? No

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

Section Numbers Proposed Action Illinois Register Citation

11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 602
MAINTENANCE
(Repealed)

Section
602.10 General Applicability
EMERGENCY
602.20 Provision of Maintenance
EMERGENCY

AUTHORITY: Implementing and authorized by Section 3(a),(b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

SOURCE: Adopted at 9 Ill. Reg. 8809, effective June 10, 1985; amended at 11 Ill. Reg. 4036, effective February 18, 1987; amended at 12 Ill. Reg. 6745, effective March 29, 1988; amended at 14 Ill. Reg. 2598, effective February 5, 1990; amended at 14 Ill. Reg. 18077, effective October 18, 1990; Emergency Repealer at 17 Ill. Reg. 11780, effective July 1, 1993 for a maximum of 150 days.

Section 602.10 General Applicability
EMERGENCY

Rules contained within this Part are applicable to all Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) clients.

Section 602.20 Provision of Maintenance
EMERGENCY

Maintenance will be provided to clients to cover basic living expenses (such as food, shelter, clothing and other subsistence expenses), incurred as a result of their participation in an Individualized Written Rehabilitation Program (IWRP), in accordance with Client Financial Participation (89 Ill. Adm. Code 562) and when it is necessary to support and derive the full benefit of other vocational rehabilitation services being provided as determined in the Thorough Diagnostic Study (89 Ill. Adm. Code 552) and included in the IWRP (89 Ill. Adm. Code 572). Supplemental Security Income will be considered as income available to the client for basic living expenses, for purposes

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

NOTICE OF EMERGENCY REPEALER

of determining the amount of maintenance provided by DORS. The client shall indicate to the counselor that the objectives established in the client's IWRP cannot be completed without payment of subsistence expenses. With the exception of those services listed in 89 Ill. Adm. Code 562.30(a)(1) through (4), maintenance payments will not be provided after a client has become employed and has received his/her first paycheck.

1) Heading of the Part: Medical, Psychological, and Related Services

2) Code Citation: 89 Ill. Adm. Code 587

3) Section Numbers: Emergency Action:

587.10	Repealed
587.20	Repealed
587.30	Repealed
587.40	Repealed
587.50	Repealed
587.60	Repealed
587.70	Repealed
587.105	Repealed
587.106	Repealed
587.107	Repealed
587.110	Repealed
587.111	Repealed
587.120	Repealed
587.130	Repealed
587.200	Repealed
587.300	Repealed
587.400	Repealed
587.410	Repealed
587.420	Repealed
587.430	Repealed
587.440	Repealed
587.450	Repealed
587.500	Repealed
587.510	Repealed
587.600	Repealed

4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993

6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

7) Date filed in Agency's Principal Office: July 1, 1993

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act required immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.

- 9) A Complete Description of the Subject and Issues Involved: This Part is being repealed due to the changes required by the 1992 Amendments to the Rehabilitation Act. As the changes required by the amendments are so dramatic, most of the provisions contained in this Part are no longer appropriate or applicable, thus necessitating repeal of the Part.

- 10) Are there any other amendments pending on this Part? No

Section Numbers	Proposed Action	Illinois Register Citation
-----------------	-----------------	----------------------------

- | | | |
|---|----------------|--|
| 11) Statement of Statewide Policy Objectives (if applicable): | Not Applicable | |
|---|----------------|--|

- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

The full text of the Emergency Rule(amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 587
 MEDICAL, PSYCHOLOGICAL, AND RELATED SERVICES
 (Repealed)

Section
 587.10 General Applicability

EMERGENCY

587.20 Criteria for Medical Services

EMERGENCY

587.30 Exclusion from Medical Services

EMERGENCY

587.40 Written Recommendations from Physicians

EMERGENCY

587.50 Medical Service Providers

EMERGENCY

587.60 Treatment for Acute Conditions

EMERGENCY

587.70 Medication

EMERGENCY

587.105 Payment for Hearing Aids

EMERGENCY

587.106 Medical Evaluations

EMERGENCY

587.107 Hearing Evaluations

EMERGENCY

587.110 Hearing Aid Evaluations

EMERGENCY

587.111 Vendor Requirements for Hearing Evaluations and Hearing Aid Evaluations

EMERGENCY

587.120 Binaural Hearing Aids

EMERGENCY

587.130 Speech and Language Services

EMERGENCY

587.200 Low Vision Aids

EMERGENCY

587.300 Mental Restoration Services

EMERGENCY

587.400 Heart Surgeries

EMERGENCY

587.410 Intestinal By-Pass or Stapling Surgery

EMERGENCY

587.420 Abortions

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

EMERGENCY

587.430 Transsexual Surgery

EMERGENCY

587.440 Organ Transplants

EMERGENCY

587.450 Chiropractic Services

EMERGENCY

587.500 Prosthetic or Orthotic Devices

EMERGENCY

587.510 Wheelchairs

EMERGENCY

587.600 Experimental Stage Therapeutic Devices or Procedures

EMERGENCY

AUTHORITY: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act(111. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

SOURCE: Adopted at 9 Ill. Reg. 8813, effective June 10, 1985; amended at 10 Ill. Reg. 13671, effective August 4, 1986; amended at 11 Ill. Reg. 5309, effective March 11, 1987; amended at 12 Ill. Reg. 15621, effective September 16, 1988; amended at 13 Ill. Reg. 1850, effective January 27, 1989; amended at 14 Ill. Reg. 6785, effective April 20, 1990; amended at 15 Ill. Reg. 7370, effective April 30, 1991; amended at 16 Ill. Reg. 8235, effective May 18, 1992; Emergency Repealer at 17 Ill. Reg. 11784 effective July 1, 1993, for a maximum of 150 days.

Section 587.10 General Applicability

EMERGENCY

Rules contained within this Part are applicable to all Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) clients.

Section 587.20 Criteria for Medical Services

EMERGENCY

Medical services will be provided to clients in accordance with 89 Ill. Adm. Code 562 "Client Financial Participation - Management Control Project", if necessary to the vocational rehabilitation as established in the vocational goals included in the Individualized Written Rehabilitation Programs (89 ill. Adm. Code 572) and if recommended by the clients' physicians.

Section 587.30 Exclusion from Medical Services

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- b) If a hearing evaluation is required for subsection (a)(1) above, it shall be conducted by a person licensed pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act (Ill. Rev. Stat. 1989, ch. 111, par. 7901 et seq.) ("Audiology Act").
- c) If a hearing evaluation is required for subsection (a)(2) above, it shall be completed by either:
- 1) a person licensed pursuant to the Audiology Act; or
 - 2) a person licensed pursuant to the Hearing Aid Act.
- d) For a hearing evaluation referenced in (a)(2) above, the evaluation consists of:
- 1) air and bone conduction testing;
 - 2) speech reception threshold;
 - 3) speech discrimination;
 - 4) most comfortable loudness level; and
 - 5) uncomfortable loudness level.
- e) If any additional testing not included in subsection (d) is required, the examination will be considered a hearing evaluation pursuant to (a)(1) above.

Section 587.110 Hearing Aid Evaluations
EMERGENCY

- a) For purpose of this Section, a hearing aid evaluation means the selection, fitting, adoption and service of a hearing aid and includes testing of hearing by means of an audiometer properly calibrated to American National Standard Institute standards (ANSI S3.6-1989, with no later editions or amendments) and other testing allowed pursuant to Subpart C of the Protection Code.
- b) When a hearing aid evaluation is recommended (e.g., by a licensed physician, licensed audiologist or licensed hearing aid dispenser), the evaluation shall be completed by either:
- 1) a person licensed pursuant to the Audiology Act; or

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- 2) a person licensed pursuant to the Hearing Aid Act.
- Section 587.111 Vendor Requirements for Hearing Evaluations and Hearing Aid Evaluations
EMERGENCY
- a) Vendors pursuant to Section 587.107 and Section 587.110 not approved prior to the effective date of this Section, shall be approved by the Manager, or designee, Division of Services for the Hearing Impaired. Minimum requirements for approval are:
- 1) testing must be conducted within an acoustically treated suite;
 - 2) the maximum allowable ambient noise levels during audiometric testing must be at or below that set out by the American National Standards Institute (ANSI S3.1-1977); and
 - 3) the vendor must be able to do testing both with ear phones and in a sound field (any test environment in which auditory stimuli are presented via a calibrated audiometer through one or more loudspeakers).
- b) If a vendor is a person licensed pursuant to the Hearing Aid Act, in addition to requirements set out in subsection (a) above, there shall be a minimum 30 day free trial period for hearing aid purchases by DORS.

Section 587.120 Binaural Hearing Aids
EMERGENCY

- A DORS counselor shall make the determination whether or not to purchase binaural hearing aids. Such determination will be based on the following:
- a) the client's vocational goals established in the Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572);
 - b) the client's audiologic profile (Section 587.107(d); and
 - c) the client's ability to effectively utilize binaural hearing aids by improved discrimination ability and/or

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

increased ability to identify the source and direction of sound, which may be determined either by a person licensed pursuant to the Hearing Aid Act or a person licensed pursuant to the Audiology Act.

Section 587.130 Speech and Language Services
EMERGENCY

DORS will provide the services of a speech and language pathologist, i.e., speech, language and/or dysphagia evaluations; speech, language and or dysphagia therapy; and speech reading services, in accordance with the client's goals and objectives set forth in the client's Individualized Written Rehabilitation Program (89 Ill. Adm. Code 572). Speech and language pathologists must be approved by ASHA and have a CCC in Speech Pathology.

Section 587.200 Low Vision Aids
EMERGENCY

Prior to purchase of low-vision aids including electronic (i.e., closed circuit television magnification systems) a low vision clinic evaluation must be obtained.

Section 587.300 Mental Restoration Services
EMERGENCY

In-patient mental restoration services may be purchased from a private hospital only when the need is documented in reports from the client's treating psychiatrist or psychologist which are contained in the case file and similar benefits (89 Ill. Adm. Code 567) are not available or timely. Similar benefits shall be arranged for as soon as possible. No shock treatment will be authorized.

Section 587.400 Heart Surgeries
EMERGENCY

DORS will pay for heart surgery done by a hospital team doing 100 cases per year as documented by the hospital when the patient's chance of surviving surgery and the prognosis for rehabilitation as indicated by the attending physician are good.

Section 587.410 Intestinal By-Pass or Stapling Surgery
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

DORS will not pay for intestinal by-pass or stapling surgery for extreme obesity as diagnosed by the client's physician.

Section 587.420 Abortions
EMERGENCY

DORS will not pay for an abortion or any related costs.

Section 587.430 Transsexual Surgery
EMERGENCY

DORS will not pay for transsexual surgery or for any related costs.

Section 587.440 Organ Transplants
EMERGENCY

DORS will not pay for organ transplants.

Section 587.450 Chiropractic Services
EMERGENCY

Chiropractic services may be provided if there are no medical contraindications to spinal manipulation, and the service will be necessary to the achievement of the client's vocational goal.

Section 587.500 Prosthetic or Orthotic Devices
EMERGENCY

a) Prior to purchasing a prosthesis all amputees must have an evaluation at an amputee clinic. The evaluation shall include the readiness of the client for fitting, a prescription for the prosthesis, evaluation of the fit, an evaluation of the fabrication of the completed device, and an evaluation of the need for training in the use of the device. Exceptions to allow an evaluation by a physiatrist or orthopedist will be approved by the Rehabilitation Services Supervisor and State Program Specialist, Medical Resources based on justification that an equivalent evaluation will be performed by the physiatrist or orthopedist. Provision shall also be made for follow-up visits with such purchases to insure that the device fits and works properly.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- b) An orthotic device will be purchased only by prescription of a physician.
- c) Prosthetic/orthotic vendors must be certified by the American Board of Certification in Orthotics and Prosthetics, Incorporated or by the National Association of Retail Druggists.

Section 587.510 Wheelchairs
EMERGENCY

A wheelchair may be purchased only when prescribed by a physician and it is necessary to achieve the client's vocational goal.

Section 587.600 Experimental Stage Therapeutic Devices or Procedures
EMERGENCY

DORS will not purchase therapeutic devices, procedures, or surgeries, which have not been approved by the Food and Drug Administration of the United States Department of Health and Human Services.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- 1) Heading of the Part: Other Services
- 2) Code Citation: 89 Ill. Adm. Code 607
- 3) Section Numbers:

607.10	<u>Emergency Action:</u>
607.20	Repealed
607.50	Repealed
607.60	Repealed
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)] and Section 13-703 of the Public Utilities Act (Ill. Rev. Stat. 1991, ch. 111 2/3, par. 13-703) [220 ILCS 5/13-703].
- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993
- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:
- 7) Date filed in Agency's Principal Office: July 1, 1993
- 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act require immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.
- 9) A Complete Description of the Subject and Issues Involved:
This Part is being repealed due to the changes required by the 1992 Amendments to the Rehabilitation Act. As the changes required by the amendments are so dramatic, most of the provisions contained in this Part are no longer

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

applicable or appropriate, thus necessitating repeal of the Part.

- 10) Are there any other amendments pending on this Part? No

- 11) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives (if applicable):
Not Applicable

- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 607
OTHER SERVICES
(Repealed)

Section
607.10 General Applicability
EMERGENCY
607.20 Temporary Lodging or Transportation
EMERGENCY
607.50 Other Goods and Services
EMERGENCY
607.60 Equipment Sets
EMERGENCY

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a),(b), and (k)) [20 ILCS 2405/3(a), (b), and (k)] and Section 13-703 of the Public Utilities Act (Ill. Rev. Stat. 1991, ch. 111 2/3, par. 13-703) [220 ILCS 5/13-703].

SOURCE: Adopted at 9 Ill. Reg. 3823, effective June 10, 1985; amended at 11 Ill. Reg. 4042, effective February 18, 1987; amended at 12 Ill. Reg. 15156, effective September 12, 1988; emergency amendment at 13 Ill. Reg. 225, effective January 6, 1989, for a maximum of 150 days; emergency expired May 20, 1989; amended at 13 Ill. Reg. 9586, effective June 12, 1989; amended at 14 Ill. Reg. 18080, effective October 18, 1990; Emergency Repealer at 17 Ill. Reg. 11796, effective July 1, 1993, for a maximum of 150 days.

Section 607.10 General Applicability
EMERGENCY

Rules contained within this Part are applicable to all Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) clients.

Section 607.20 Temporary Lodging or Transportation
EMERGENCY

When temporary lodging or transportation becomes necessary to benefit from the provision of vocational rehabilitation services

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

NOTICE OF EMERGENCY REPEALER

(89 Ill. Adm. Code: Chapter IV, Subchapter b), clients (and attendants when required for the client to travel) shall be reimbursed in accordance with 80 Ill. Adm. Code 2800 (Travel Regulations), issued by the Illinois Department of Central Management Services.

- a) With the exception of those services listed in Section 562.30(a)(1) through (4), transportation shall not be provided once the client has become employed and has received his/her first paycheck.
- b) Ambulance transportation will be provided upon the order of a client's attending physician as part of VR services and shall be at the lowest ambulance charge available in the client's community.

Section 607.50 Other Goods and Services EMERGENCY

DORS may provide other goods and services, including services to a DORS VR client's family members, not specifically discussed in these rules (89 Ill. Adm. Code: Chapter IV, Subchapter b) which are necessary to determine VR potential or which are necessary to achieve a suitable vocational goal unless prohibited elsewhere in these rules (89 Ill. Adm. Code 587). "Family member," as used in this Section, means any relative by blood or marriage of an individual with a handicap and any other living in the same household with whom the individual with the handicap has a close interpersonal relationship. A close interpersonal relationship is determined by the presence of an emotional commitment between individuals, and not by the financial commitments between such individuals. Adopted individuals would be considered family members. In the case of services to family members, the client's economic need test and financial participation (89 Ill. Adm. Code 562.20 and 562.30) apply to the family member.

Section 607.60 Equipment Sets EMERGENCY

- a) The Department of Rehabilitation Services (DORS) has been identified as a qualified state agency to certify individuals as deaf, severely hearing impaired or deaf-blind for the purpose of obtaining equipment sets (i.e., telecommunication device for the deaf (TDD) or telebraille device) without charge per Section 13-703

of the Public Utilities Act (Ill. Rev. Stat. 1987, ch. 111 2/3, par. 13-703).

- b) DORS will certify individuals seeking eligibility for a TDD who are deaf or severely hearing impaired and who are: present clients, past clients for whom DORS hold records, or individuals known to certifying staff through professional affiliation (e.g., past clients for whom DORS no longer has records, a family member of a client or a former student of the Illinois School for the Deaf or the Illinois School for the Visually Impaired). If an individual seeks certification from DORS and is not known by staff, the staff person will inform the individual of other certifying agents per 83 Ill. Adm. Code 755.200.
- c) DORS will certify individuals who are seeking eligibility for a telebraille device who are:
 - 1) deaf or severely hearing impaired,
 - 2) blind or severely visually impaired,
 - 3) capable of using Grade 1 Braille. If an individual's Braille skills are unknown, a series of short questions in Grade 1 Braille will be given to the individual by DORS staff for the individual to respond in Braille; and
 - 4) present or past clients of DORS.
- d) If an individual seeks certification from DORS and is not known by staff, the staff person will inform the individual of other certifying agents per 83 Ill. Adm. Code 755.200.

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY REPEALER

- 1) Heading of the Part: Placement
- 2) Code Citation: 89 Ill. Adm. Code 612
- 3) Section Numbers: Emergency Action:
612.10 Repealed
612.20 Repealed
- 4) Statutory Authority: Implementing and authorized by Section 3(a),(b), and (j) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (j)) [20 ILCS 2405/3(a), (b), and (j)].
- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993
- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:
- 7) Date filed in Agency's Principal Office: July 1, 1993
- 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act require immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.
- 9) A Complete Description of the Subject and Issues Involved:
This Part is being repealed due to the changes required by the 1992 Amendments to the Rehabilitation Act. As the changes required by the amendments are so dramatic, most of the provisions contained in this Part are no longer applicable or appropriate, thus necessitating repeal of the Part.
- 10) Are there any other amendments pending on this Part? No

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY REPEALER

- | <u>Section Numbers</u> | <u>Proposed Action</u> | <u>Illinois Register Citation</u> |
|------------------------|--|-----------------------------------|
| 11) | <u>Statement of Statewide Policy Objectives (if applicable):</u>
Not Applicable | |
| 12) | <u>Information and questions regarding this rule (amendment, repealer) shall be directed to:</u>

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301 | |
- If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.
- The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 612
 PLACEMENT
 (Repealed)

Section

612.10 General Applicability

EMERGENCY

612.20 Provision of Placement Services
EMERGENCY

AUTHORITY: Implementing and authorized by Sections 3(a), (b), and (j) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (j)) [20 ILCS 2405/3(a), (b), and (j)].

SOURCE: Adopted at 9 Ill. Reg. 8827, effective June 10, 1985; amended at 11 Ill. Reg. 1622, effective January 6, 1987; Emergency Repealer at 17 Ill. Reg. 1180L effective July 1, 1993, for a maximum of 150 days.

Section 612.10

General Applicability

EMERGENCY

Rules contained within this Part are applicable to all Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) clients.

Section 612.20

Provision of Placement Services

EMERGENCY

The counselor will provide placement services directly or coordinate activities with other placement resources such as a rehabilitation facility or the Illinois Job Service to assure suitable employment (see 89 Ill. Adm. Code 617.30(c)). Placement services are preparing the client for job interviews, identifying job interviews, and referring the client to employers for job interviews.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

1) Heading of the Part: Post-Employment Services2) Code Citation: 89 Ill. Adm. Code 6223) Section Numbers: Emergency Action:

622.10

Repealed

622.20

Repealed

622.30

Repealed

4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)]5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 19936) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:7) Date filed in Agency's Principal Office: July 1, 19938) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act require immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.

9) A Complete Description of the Subject and Issues Involved:
This Part is being repealed due to the changes required by the 1992 Amendments to the Rehabilitation Act. As the changes required by the amendments are so dramatic, most of the provisions contained in this Part are no longer applicable or appropriate, thus necessitating repeal of the part.10) Are there any other amendments pending on this Part? No

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

NOTICE OF EMERGENCY REPEALER

Section Numbers Proposed Action Illinois Register Citation

11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 622

POST-EMPLOYMENT SERVICES
(Repealed)

Section
622.10 General Applicability
EMERGENCY
622.20 Post-Employment Services Eligibility
EMERGENCY
622.30 Provision of Post-Employment Services
EMERGENCY

AUTHORITY: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)]

SOURCE: Adopted at 9 Ill. Reg. 8831, effective June 10, 1985; amended at 11 Ill. Reg. 1625, effective January 6, 1987; amended at 12 Ill. Reg. 11505, effective June 22, 1988; amended at 13 Ill. Reg. 17849, effective November 6, 1989; Emergency Repealer at 17 Ill. Reg. 11804, effective July 1, 1993 for a maximum of 150 days.

Section 622.10 General Applicability
EMERGENCY

Rules contained within this Part are applicable to all Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) clients.

Section 622.20 Post-Employment Services Eligibility
EMERGENCY

a) Post-employment services are VR services (as contained in 89 Ill. Adm. Code: Chapter IV, Subchapter b (Vocational Rehabilitation)) which do not require opening a new case for the client and whose closed case file is still available pursuant to 34 CFR 74.21 and 22.

b) Post-employment services may be provided to all clients whose cases have been closed rehabilitated. The closed

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

case must include an assessment of the expected need for post-employment services and document pursuant to 89 Ill. Adm. Code 617.20 that a reassessment of the need for post-employment services has been completed prior to case closure. The assessment consists of the following information: the counselor's professional judgment on the client's progress toward meeting his/her goal, the client's needs, the client's disability(ies) and historical data on the particular client or disability. Post-employment services can only be provided if they are necessary as determined by the counselor's professional judgment as evidenced in the IWRP amendment (89 Ill. Adm. Code 617.20) to maintain employment or to assist an individual to regain more suitable employment when the rehabilitation determination was based on employment appropriate at the time, but below the individual's potential. The more suitable employment must:

- 1) not entail an extended training period (i.e., 6 months or more); and,
- 2) improve the level of independence and result in a termination of post-employment services.

Section 622.30 Provision of Post-Employment Services
EMERGENCY

The services to be provided in post-employment must be delineated in an amendment to the Individualized Written Rehabilitation Program (IWRP).

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- 1) Heading of the Part: Secondary Transitional Experience Program
- 2) Code Citation: 89 Ill. Adm. Code 657
- 3) Section Numbers: 657.10
657.20
Emergency Action:
Repealed
Repealed
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (i) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (j)) [20 ILCS 2405/3(a), (b) and (j)]
- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993
- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:
- 7) Date filed in Agency's Principal Office: July 1, 1993
- 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act require immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.
- 9) A Complete Description of the Subject and Issues Involved:
This Part is being repealed due to the changes required by the 1992 Amendments to the Rehabilitation Act. As the changes required by the amendments are so dramatic, most of the provisions contained in this Part are no longer applicable or appropriate, thus necessitating repeal of the part.
- 10) Are there any other amendments pending on this Part? No

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

Section Numbers Proposed Action Illinois Register Citation

11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
 T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule(amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER C: VOCATIONALLY RELATED PROGRAMS

PART 657
 SECONDARY TRANSITIONAL EXPERIENCE PROGRAM
 (REPEALED)

Section
 657.10 General Applicability
 EMERGENCY
 657.20 Financial Needs Test Exception
 EMERGENCY

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (i) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a),(b), and (j)) [20 ILCS 2405/3(a), (b), and (j)]

SOURCE: Adopted at 9 Ill. Reg. 8835, effective June 10, 1985; amended at 11 Ill. Reg. 1628, effective January 6, 1987; amended at 11 Ill. Reg. 14821, effective August 24, 1987; Emergency Repealer at 17 Ill. Reg. 11808, effective July 1, 1993 for a maximum of 150 days.

Section 657.10 General Applicability
 EMERGENCY

Rules contained within this Part are applicable to all Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) clients.

Section 657.20 Financial Needs Test Exception
 EMERGENCY

"Client Financial Participation" (89 Ill. Adm. Code 562) cannot be applied to work adjustment training as long as:

- a) the client is in high school, and
- b) the work adjustment training is secured by the vendor agency as a component of the Secondary Transitional Experience Program and as coordinated through the Individualized Educational Plan (IEP)/Individualized Written Rehabilitation Program (IWRP). Work adjustment training teaches client work habits such as reporting

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

to work on time, accepting supervision, and working
with co-workers.

1) Heading of the Part: Services

2) Code Citation: 89 Ill. Adm. Code 590

3) Section Numbers:

Emergency Action:

590.10	New
590.20	New
590.30	New
590.35	New
590.40	New
590.50	New
590.60	New
590.70	New
590.80	New
590.90	New
590.100	New
590.110	New
590.120	New
590.130	New
590.140	New
590.150	New
590.160	New
590.170	New
590.180	New
590.190	New
590.200	New
590.210	New
590.220	New
590.230	New
590.240	New
590.250	New
590.260	New
590.270	New
590.280	New
590.290	New
590.300	New
590.310	New
590.320	New
590.330	New
590.340	New
590.350	New
590.360	New
590.370	New
590.375	New
590.380	New
590.390	New
590.400	New

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

NOTICE OF EMERGENCY RULES

590.410 New
 590.420 New
 590.430 New
 590.440 New
 590.450 New
 590.460 New
 590.470 New
 590.480 New
 590.490 New
 590.500 New
 590.510 New
 590.520 New
 590.530 New
 590.540 New
 590.550 New
 590.560 New
 590.570 New
 590.580 New
 590.590 New
 590.600 New
 590.610 New
 590.620 New
 590.630 New
 590.640 New
 590.650 New
 590.660 New
 590.670 New
 590.680 New
 590.700 New
 590.710 New
 590.720 New
 590.730 New
 590.740 New
 590.750 New

4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3429 (g)) [20 ILCS 2405/0.01], and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16]

5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993

6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

- 7) Date filed in Agency's Principal Office: July 1, 1993
- 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act required immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR program, thus putting the safety and welfare of those individuals receiving services at risk.

- 9) A Complete Description of the Subject and Issues Involved:
 The 1992 Amendments to the Rehabilitation Act requires specific changes to DORS' roles regarding services provided to vocational rehabilitation clients.

Because of the magnitude of the changes Parts 540 - Auxiliary Aids, 587 - Medical, Psychological and Related Services, 592 - Training, 597 - Tools, Equipment, Supplies and Initial Stock, 602 - Maintenance, 607 - Other Services, 612 - Placement, 622 - Post-Employment Services and 657 - Secondary Transitional Experience Program are all being repealed.

The information regarding all services is being added in this Part.

- 10) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 11) Statement of Statewide Policy Objectives (if applicable):
 Not Applicable

- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429

NOTICE OF EMERGENCY RULES

Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put
comments into writing, you may make them orally to the
person listed above.

The full text of the Emergency Rule(amendments, repealer) begins
on the next page:

NOTICE OF EMERGENCY RULES

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 590
SERVICES

SUBPART A: APPLICABILITY

Section
590.10 Applicability
EMERGENCY
590.20 Availability of Services
EMERGENCY
590.30 Effect of Financial Status on Services
EMERGENCY
590.35 Affect of Comparable Benefits
EMERGENCY
590.40 Choice of Service Providers
EMERGENCY

SUBPART B: MEDICAL, PSYCHOLOGICAL AND RELATED SERVICES

Section
590.50 Provision of Services
EMERGENCY
590.60 Qualification of Medical and Psychological Service
Providers
EMERGENCY
590.70 Treatment of Acute Conditions
EMERGENCY
590.80 Medication and Treatment
EMERGENCY
590.90 Hearing Aids
EMERGENCY
590.100 Binaural Hearing Aids
EMERGENCY
590.110 Speech and Language Services
EMERGENCY
590.120 Low Vision Aids
EMERGENCY
590.130 Mental Restoration Services
EMERGENCY
590.140 Heart Surgeries
EMERGENCY
590.150 Kidney Transplant and Related Services
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

NOTICE OF EMERGENCY RULES

590.160 Chiropractic Services
EMERGENCY
590.170 Prosthetic and Orthotic Device
EMERGENCY
590.180 Wheelchairs
EMERGENCY
590.190 Prohibited Services
EMERGENCY

590.350 Recovery of Tools, Equipment, Supplies and Initial Stock
EMERGENCY
590.360 Transfer of Title
EMERGENCY
590.370 Limitation of Financial Participation
EMERGENCY

SUBPART E: VEHICLE ADAPTATION AND ENVIRONMENTAL MODIFICATION

SUBPART C: TRAINING AND RELATED SERVICES

Section

590.200 Provision of Services
EMERGENCY
590.210 Qualification of Training Facilities/Institutions
EMERGENCY
590.220 Purpose and Types of Training
EMERGENCY
590.230 Financial Guidelines for Training Services
EMERGENCY
590.240 Graduate School Training
EMERGENCY
590.250 Choice of Training Facility/Institution
EMERGENCY
590.260 Summer School
EMERGENCY
590.270 Grades
EMERGENCY
590.280 Health Status
EMERGENCY
590.290 On-the-Job Training
EMERGENCY
590.300 Default on Educational Loans
EMERGENCY

Section

590.375 Provision of Services
EMERGENCY
590.380 Vendor Requirements
EMERGENCY
590.390 Bidding Requirements
EMERGENCY
590.400 Vehicle Adaptation
EMERGENCY
590.410 DORS Financial Participation in Van Adaptation
EMERGENCY
590.420 Environmental Modification
EMERGENCY
590.430 Written Agreements for Environmental Modification
EMERGENCY
590.440 Compliance with Capital Development Board Specifications
EMERGENCY

SUBPART F: PERSONAL SUPPORT SERVICES AND AUXILIARY AIDS

Section

590.450 Provision of Services
EMERGENCY
590.460 Types of Services
EMERGENCY
590.470 Provision of Services
EMERGENCY
590.480 Qualifications for Services Provided by Individuals
EMERGENCY
590.490 Payment for Support Services Provided by Individuals
and Conditions of Service Provision
EMERGENCY

SUBPART D: TOOLS, EQUIPMENT, SUPPLIES AND INITIAL STOCK

Section

590.310 Provision of Services
EMERGENCY
590.320 Self-Employment Program
EMERGENCY
590.330 Services/Goods not Available
EMERGENCY
590.340 Bidding Requirements
EMERGENCY

SUBPART G: COMPUTER EQUIPMENT AND SENSORY AID LOAN

Section

590.500 Provision of Services
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

590.510 Definitions
EMERGENCY
590.520 Purpose
EMERGENCY
590.530 Criteria for Equipment Loan
EMERGENCY
590.540 Equipment Loan Request Procedures and Approval Process
EMERGENCY
590.550 Duration of Loans
EMERGENCY
590.560 Maintenance and Return of Equipment/Aids
EMERGENCY
590.570 Assistance in Obtaining Permanent Equipment
EMERGENCY
590.580 Limitations on Available Equipment/Aids
EMERGENCY

SUBPART H: OTHER SERVICES

Section
590.590 Provision of Services
EMERGENCY
590.600 Transportation and Temporary Lodging
EMERGENCY
590.610 Other Goods and Services
EMERGENCY
590.620 Equipment Sets
EMERGENCY

SUBPART I: PLACEMENT

Section
590.630 Provision of Services
EMERGENCY
590.640 Description of Services
EMERGENCY

SUBPART J: MAINTENANCE

Section
590.650 Provision of Services
EMERGENCY
590.660 Definitions
EMERGENCY
590.670 Determination of Maintenance Amounts
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

590.680 Exceptions to Subsistence Standards
EMERGENCY

SUBPART K: POST-EMPLOYMENT SERVICES

590.700 Provision of Services
EMERGENCY
590.710 Definitions
EMERGENCY
590.720 Scope of Services
EMERGENCY

SUBPART L: TRANSITION

590.730 Provision of Services
EMERGENCY
590.740 Definitions
EMERGENCY
590.750 Secondary Transitional Experience Program (STEP)
EMERGENCY

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3429(g)) [20 ILCS 2405/0.01], and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16)[20 ILCS 5/16]

SOURCE: Emergency Rules adopted at 17 Ill. Reg. 11812, effective July 1, 1993, for a maximum of 150 days.

SUBPART A: APPLICABILITY

Section 590.10 General Applicability
EMERGENCY

The rules contained in this Part are applicable to all clients of the Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) Program.

Section 590.20 Availability of Services
EMERGENCY

- a) Services described in this Part shall only be provided to clients determined eligible to receive VR services (89 Ill. Adm. Code 553), for whom such services have been determined necessary to ensure a successful employment outcome per the Comprehensive Assessment of

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

Rehabilitation Needs (89 Ill. Adm. Code 553.100) and for whom an Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572) has been developed calling for the provision of such services.

- b) Any service listed in this Part which may be provided to a client, or which DORS assists the client in obtaining, must be listed on the client's IWRP and must be necessary to overcome an impediment to employment and is anticipated to result in a successful employment outcome.

Section 590.30 Effect of Financial Status on Services
EMERGENCY

Unless otherwise specified in this Part, services contained in this Part shall be provided in accordance with Client Financial Participation (89 Ill. Adm. Code 562).

Section 590.35 Effect of Comparable Benefits
EMERGENCY

Unless otherwise specified, Comparable Benefits (89 Ill. Adm. Code 567) must be sought for all services provided under this Part.

Section 590.40 Choice of Service Providers
EMERGENCY

- a) Unless otherwise specified in this Part and to the maximum extent possible, the client shall have the right to choose any service provider to provide those services listed in his/her IWRP as long as the provider is certified, licensed or determined qualified to provide the specific service required.
- b) If necessary services are available at a lower cost from a service provider not chosen by the client, the client shall be required to pay the difference in costs to use the service provider of his/her choice.

SUBPART B: MEDICAL, PSYCHOLOGICAL AND RELATED SERVICES

Section 590.50 Provision of Services
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- a) All services described in this Subpart shall be provided in accordance with the provisions of this Subpart and Subpart A of this Part.
- b) All services provided in accordance with this Subpart shall be recommended in writing by the client's physician or psychologist who will perform the service.

Section 590.60 Qualification of Medical and Psychological
Service Providers
EMERGENCY

To be qualified to provide services (89 Ill. Adm. Code 590.40) under this Part, the following shall apply:

- a) for providing medical services to individuals with mental or physical disabilities, the individual service providers must be:

- 1) a physician, surgeon (i.e., doctor of medicine, psychiatry or osteopathy), or chiropractor licensed pursuant to the Medical Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4400-1 et seq.) [225 ILCS 60/1];
- 2) a licensed medical technician (i.e., a registered nurse licensed pursuant to the Illinois Nursing Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, pars. 3501 et seq.) [225 ILCS 65];
- 3) a therapist or physician assistant licensed pursuant to the Physician Assistant Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, pars. 4601 et seq.) [225 ILCS 95/1];
- 4) a psychologist licensed to practice under the Clinical Psychologists' Licensing and Disciplinary Act (Ill. Rev. Stat. 1991, ch. 111, pars. 5352 et seq.) [225 ILCS 15/2 et seq.] by the Illinois Department of Professional Regulation or registered and approved by the Illinois State Board of Education;
- 5) an optometrist licensed pursuant to Optometric Licensing Act (Ill. Rev. Stat. 1991, ch. 111, par. 3901 et seq.) [225 ILCS 80/1 et seq.]; or

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- 6) podiatrists licensed pursuant to the Podiatric Medical Practice Act of 1987 (Ill. Rev. Stat. ch. 111, par. 4801 et seq.) [225 ILCS 100/1 et seq.].
- b) Hospitals used to provide services to clients under this Part must be approved by the Joint Commission on Accreditation of Hospitals.
- c) In order to provide hearing and hearing aid evaluations under 89 Ill. Adm. Codes 590.90 - Hearing Aids, the evaluator must:
 - 1) be licensed pursuant to the Illinois Speech - Language Pathology and Audiology Practice Act (Audiology Act) (Ill. Rev. Stat. 1991, ch. 111, par. 7901 et seq.) [225 ILCS 110/1];
 - 2) meet the requirements set forth in the Hearing Aid Consumer Protection Act (Hearing Aid Act) (Ill. Rev. Stat. 1991, ch. 111, par. 7401 et seq.) [225 ILCS 50/1]; or
 - 3) if not approved as of the effective date of this part, be approved by the Manager, Division of Services for Persons who are Deaf or Hard of Hearing, or his/her designee.

This approval shall be based on the evaluators ability to:

- A) conducting testing in an acoustically treated booth;
- B) ensuring a maximum ambient noise level at or below the standards established by the American National Standards Institute (ANSI 3.1-1977); and
- C) providing testing with both ear phones and in a sound field (any test environment in which auditory stimuli are presented via a calibrated audiometer through one or more loudspeakers).

- d) Speech and language pathologists must be approved by American Speech and Hearing Association (ASHA) and have

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- a Certificate of Clinical Competence (CCC) in Speech Pathology.
- e) Hospital surgical teams providing heart surgery (89 Ill. Adm. Code 590.140) must perform at least 100 such operations per year as documented by the hospital in which the services will be performed.
- f) Prosthetic/orthotic device vendors must be certified by the American Board of Certification in Orthotics and Prosthetics, Inc., or by the National Association of Retail Druggists.

Section 590.70 Treatment of Acute Conditions EMERGENCY

- a) DORS will pay for treatment of an acute condition which is severe but of a short duration which is determined by the client and counselor as necessary at any time during the life of the case which is recommended by an appropriate medical professional and which is necessary to avoid interruption of services listed in the client's IWRP.

- B) An amendment to the IWRP (89 Ill. Adm. Code 572.80) is required to allow for the provision of these services.

Section 590.80 Medication and Treatment EMERGENCY

- a) DORS may pay for medication/treatment (e.g., doctor's office visits, medication) if necessary to cure or stabilize a condition in accordance with the client's IWRP.
- b) DORS shall not pay for ongoing medication/treatment (treatment for a condition for which there is no foreseeable date of termination of the medication/treatment) except as a support service to the primary service on the IWRP (e.g., a client requires insulin to control his/her diabetes in order to attend training) and then only until completion of that primary service.

Section 590.90 Hearing Aids EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

Any client who has been determined to have a hearing disability as confirmed during the Determination of Eligibility (89 Ill. Adm. Code 553.20) and for whom the outcome of the Comprehensive Assessment of Rehabilitation Needs (89 Ill. 553.100) is that attainment of a hearing aid is or is expected to be a necessary service must undergo a hearing evaluation and a hearing aid evaluation.

a) A hearing evaluation shall consist of:

- 1) air and bone conduction testing;
- 2) speech reception threshold;
- 3) speech discrimination;
- 4) most comfortable loudness level; and
- 5) uncomfortable loudness level.

b) A hearing aid evaluation shall consist of:

- 1) selection of an appropriate hearing aid, based upon the outcome of the hearing evaluation (89 Ill. Adm. Code 590.90 (a));
- 2) fitting of the hearing aid;
- 3) adaption and services of the hearing aid;
- 4) testing of the hearing aid by means of an audiometer calibrated to American National Standards Institute standards (ANSI § 3.6 1989, with no later amendments); and
- 5) other testing allowed pursuant to 77 Ill. Adm. Code 682.300 - Hearing Aid Consumer Protection Code.

Section 590.100 Binaural Hearing Aids
EMERGENCY

Binaural hearing aids will be purchased for a client only when:

- a) the provisions listed at 89 Ill. Adm. Code 590.20 are met;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- b) the need for binaural aids is evidenced in the client's audiological profile (i.e., the results of the client's hearing and hearing aid evaluations); and
- c) the client's ability to effectively utilize binaural hearing aids by improved discrimination ability, increased sound source identification and increased sound direction has been certified by a qualified evaluator (89 Ill. Adm. Code 590.60(c)).

Section 590.110 Speech and Language Services
EMERGENCY

Pursuant to the provisions of 89 Ill. Adm. Code 590.20, DORS will provide speech and language pathology services (i.e., speech, language and/or dysphagia evaluations; speech, language and/or dysphagia therapy; and speech reading services) in accordance with the client's long term rehabilitation goals as stated on his/her IWRP (89 Ill. Adm. Code 572).

Section 590.120 Low Vision Aids
EMERGENCY

Pursuant to the provisions of 89 Ill. Adm. Code 590.20, DORS will provide low vision aids including electronic devices (e.g., closed circuit television magnification systems).

Section 590.130 Mental Restoration Services
EMERGENCY

- a) Pursuant to the provisions of 89 Ill. Adm. Code 590.20, DORS will, with the exception of electro-shock treatments, provide in-patient mental restoration services from a private hospital only when the need for such services is documented in the client's case file by reports from the client's psychiatrist or psychologist and comparable benefits (89 Ill. Adm. Code 567.30(d) are not timely or available.

- b) In such cases, comparable benefits shall be arranged at the soonest possible time after initiation of services and DORS funding shall be withdrawn.

- c) DORS shall not pay for on-going mental-restoration services (when there is no foreseeable ending date for the services) unless these services are in support of a

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

primary service listed on the client's IWRP and then only until completion of the primary service.

Section 590.140 Heart Surgeries
EMERGENCY

Pursuant to the provisions of 89 Ill. Adm. Code 590.20, DORS will provide heart surgery for a client when documentation from the client's physician is contained in the client's case file and indicates that the client's prognosis for returning to gainful employment is good.

Section 590.150 Kidney Transplant and Related Services
EMERGENCY

Pursuant to the provisions of 89 Ill. Adm. Code 590.20, DORS shall provide kidney transplant, dialysis and artificial kidney services to a client diagnosed as having end stage renal failure when information contained in the client's case file indicates the client's prognosis for returning to gainful employment is good.

Section 590.160 Chiropractic Services
EMERGENCY

Pursuant to the provisions of 89 Ill. Adm. Code 590.20, chiropractic services may be provided when there are no medical contraindications to spinal manipulations.

Section 590.170 Prosthetic and Orthotic Devices
EMERGENCY

- a) Pursuant to the provisions of 89 Ill. Adm. Code 590.20, prosthetic and orthotic devices may be provided to a client when a physician has issued a prescription for the device:

- 1) the client has undergone an evaluation at an amputee clinic; or
- 2) has been evaluated by a physiatrist, orthopedist, or other qualified physician and the need for evaluation by an amputee clinic has been waived by the Rehabilitation Services Supervisor and DORS' State Program Specialist for Medical Services.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- b) The evaluation by an amputee clinic referenced in (b), above, shall include an assessment of the client's readiness for fitting of the device, evaluation of the fit, evaluation of the fabrication of the completed device and evaluation of the client's individual training needs for the use of the device.

Section 590.180 Wheelchairs
EMERGENCY

Pursuant to the provisions of 89 Ill. Adm. Code 590.20, a wheelchair will be purchased for a client only when a prescription for the device is issued by the client's physician.

Section 590.190 Prohibited Services
EMERGENCY

Under no circumstances shall DORS provide to a client:

- a) intestinal by-pass or stapling surgeries for the treatment of extreme obesity;
- b) abortions, or any associated services;
- c) transsexual services, or any associated services;
- d) organ transplants, or any related services, with the exception of Kidney Transplants and Related Services (89 Ill. Adm. Code 590.150); and
- e) any drug, therapeutic device, procedure, or surgery which has not been approved by the Food and Drug Administration of the United States Department of Health and Human Services.

SUBPART C: TRAINING AND RELATED SERVICES

Section 590.200 Provision of Services
EMERGENCY

All services described in this Subpart shall be provided in accordance with the provisions of this Subpart and Subpart A of this Part.

Section 590.210 Qualification of Training Facilities/
Institutions
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- a) Any training facility/institution/program not operated by DORS used to provide services to a VR client must be approved by, or registered with the Illinois State Board of Education pursuant to 23 Ill. Adm. Code 1, 25, 254, 401 and 451, the Board of Higher Education 23 Ill. Adm. Code 1000, 1010, 1030 and 1050, the Illinois Community College Board pursuant to 23 Ill. Adm. Code 1501 or registered with the Illinois Department of Professional Regulation pursuant to 89 Ill. Adm. Code: Chapter I, Subchapter b.

- b) Any training facility located outside of the State of Illinois shall be registered with the appropriate entity for such regulation in that state, and approved for use by the VR agency in that state.

Section 590.220 Purpose and Types of Training EMERGENCY

- a) Training is available to a client of the VR Program, as appropriate, for an individual client as evidenced by the determination of the client's eligibility (89 Ill. Adm. Code 553.20), the Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.100) and the client's Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572).

Training shall be provided to a client to allow him/her to achieve a successful employment outcome.

- b) Training provided to a client pursuant to the provisions of (a), above, may be of a vocational/technical or educational nature as based on the client's needs and determined as necessary to ensure attainment of the client's chosen employment goal.

Section 590.230 Financial Guidelines for Training Services EMERGENCY

- a) Training services shall be provided to a client in accordance with the provisions set forth at 89 Ill. Adm. Code 552 - Client Financial Participation.

In addition, if post-secondary training is to be provided, prior to expenditure of DORS' funds, the counselor, with assistance and input of the client,

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

must certify that maximum effort to obtain funding for the training from sources of comparable benefits (89 Ill. Adm. Code 567) has been made. An attempt to secure Comparable Benefits for all training is required except those services, and under those circumstances, listed at 89 Ill. Adm. Code 567.30

- b) DORS will assist with the purchase of books, supplies and materials necessary for a client to complete his/her training program in accordance with 89 Ill. Adm. Code 562 - Client Financial Participation and 89 Ill. Adm. Code 567 - Comparable Benefits.

- c) DORS will assist with the purchase of transportation services necessary for the client to complete his/her training program in accordance with 89 Ill. Adm. Code 562 - Client Financial Participation and 89 Ill. Adm. Code 567 Comparable Benefits when housing is not available for the client at the training site.

- d) A DORS client is required to obtain the medical/health related insurance offered by the training institution which he/she attends, if available. DORS will assist with the purchase of the insurance coverage in accordance with 89 Ill. Adm. Code 562 - Client Financial Participation and 89 Ill. Adm. Code 567 - Comparable Benefits.

- e) DORS will assist with the purchase of other support services (i.e., tutor services, reader services, note taker services) in accordance with 89 Ill. Adm. Code 562 - Client Financial Participation and 89 Ill. Adm. Code 567 - Comparable Benefits.

If education or language tutorial services for an individual who is deaf are to be provided to a client to assist in the completion of his/her training program, the tutor must:

- 1) be certified by the Illinois State Board of Education;
- 2) hold at least a bachelor's degree in deaf education from an accredited college or university; or

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- 3) be approved by the Manager, Division of Services for Persons who are Deaf or Hard of Hearing. Approval is based upon the individual's signing skills and related experience/education.
- Skill and educational/experience shall be verified by letters of reference provided by the individual from other appropriate service providers, or by resume, and personal interview which shall include an assessment of the individual's signing skills by the Manager or designee.

Section 590.240 Graduate School Training
EMERGENCY

DORS shall assist in the sponsorship of graduate school only when the client's employment goal requires attainment of such a degree, as determined by the counselor based on knowledge of the occupational choice of the client and the labor market and as evidenced by the client's IWRP (89 Ill. Adm. Code 572).

Section 590.250 Choice of Training Facility/Institution
EMERGENCY

- a) To the maximum extent possible, the client shall have the choice of the training facility/institution he/she will attend in completion of his/her IWRP (89 Ill. Adm. Code 572). However, facilities within the State of Illinois shall be given preference and state operated institutions of higher education shall be given preference over private and out-of-state institutions.
- b) While in-state, state operated facilities and local community college must be given preference, a client's choice to attend a private or out-of-state facility/institution may be approved if:
- 1) there is no comparable training at a state operated facility, in-state facility, or the client's local community college as verified by the counselor based on information regarding curriculum, recommendation of colleagues, and past experience with facilities/institutions offering training in the area of the client's employment objective.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- 2) the cost of the training at the private or out-of-state facility/institution is less than that of the same or similar training at a state-operated facility/institution, in-state facility/institution or local community college;
- 3) because of the client's particular impediments to employment, no state-operated facility/institution, in-state facility/institution or the local community college is accessible for the client.

Whether a private or out-of-state facility's/institution's training is comparable to that offered at an in-state facility/institution, state-operated facility/institution or local community college shall be determined by the counselor based on information regarding curriculum, recommendations of colleagues and past experience with facilities/institutions offering training in the area of the client's employment objective.

- c) If one or more of the circumstances listed in 89 Ill. Adm. Code 590.250 (b) above is not met, DORS may only authorize the total cost of tuition, fees and maintenance (89 Ill. Adm. Code 590, Subpart H), less scholarships, other comparable benefits (89 Ill. Adm. Code 567) and required client financial participation (89 Ill. Adm. Code 562) up to the cost of the highest state-operated facility. If one or more of the criteria is met, DORS may authorize up to the total cost of the training, less scholarship, comparable benefits and client financial participation.

Section 590.260 Summer School
EMERGENCY

Summer school shall be provided only for those clients who:

- a) will graduate at the conclusion of the summer term; or
- b) must complete a course sequence for a degree/graduation requirement and the particular course is offered only during the summer term.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

Section 590.270 Grades
EMERGENCY

DORS will sponsor a client in an educational program as long as the client maintain a "C" grade point average (GPA) (2.0 on a 4.0 point system) for each grading period (e.g., semester, quarter or term) and also maintains a sufficient cumulative GPA to meet graduation requirements in his/her major field of study. If at any time a client's GPA falls below a "C" average or below the cumulative GPA necessary to meet graduation requirements, DORS will only continue to sponsor the client for one additional grading period, regardless of when taken, providing the client and counselor agree continued training is appropriate. During the additional term, the client must achieve at least a "C" GPA and show continued progress thereafter toward raising his/her cumulative GPA to the required level. "Continued progress" means any elevation of cumulative GPA for each successive term or grading period.

Section 590.280 Health Status
EMERGENCY

- a) If a client is prevented from attending the training program outlined in his/her IWRP (89 Ill. Adm. Code 572) or is forced to withdraw, due to health reasons, he/she must obtain written verification for the need of such action from his/her physician or the health service at the facility/institution at which he/she is enrolled.
- b) If a client is prevented from attending training due to hospitalization, he/she must inform his/her DORS counselor.

In such cases, advanced notice should be provided to the DORS counselor, when possible.

Section 590.290 On-the-Job Training
EMERGENCY

If, as a result of the Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.100), On-the-Job Training (OJT) is identified as a necessary service, the following requirements must be met:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- a) the client's IWRP (89 Ill. Adm. Code 572) must specifically state the objectives, supplies needed and the anticipated length of the OJT; and
- b) the wages paid to the client by the trainer/employer during the OJT must be at least minimum wages, unless a United States Department of Labor Training Certificate (WH 224) has been issued for the Client pursuant to 23 U.S.C. 201 et seq.

Section 590.300 Default on Educational Loans
EMERGENCY

DORS shall not provide financial assistance for post-secondary education to a client who is in default on any educational grant or loan, as authorized by Title IV of the Higher Education Act, unless the counselor has determined that:

- a) a repayment or deferral agreement has been made with the lender; or
- b) a repayment effort is being made by the client, however due to the client's financial situation, a repayment or deferral agreement cannot be reached with the lender.

SUBPART D: TOOLS, EQUIPMENT, SUPPLIES AND INITIAL STOCK

Section 590.310 Provision of Services
EMERGENCY

- a) All services described in this Subpart shall be provided in accordance with the provisions of this Subpart and Subpart A of this Part.
- b) Prior to provisions of any of the services listed in this Subpart, the counselor shall consult with the appropriate regional/central office resource specialist when considering self-employment as an employment goal for a client. DORS' participation in such a program must be approved in writing by the Rehabilitation Services Supervisor prior to initiation of an Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572).

Section 590.320 Self-Employment Program
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

a) Those tools, equipment, supplies and initial stock necessary to begin a specific business may be provided to a client in order for him/her to obtain a successful employment outcome when it has been determined self-employment is a realistic employment goal for the individual. As with any employment goal, an objective of self-employment shall be to enable the individual to engage in gainful employment which will generate income at a level to meet the majority of his/her anticipated living expenses. All tools, equipment, supplies and initial stock purchased for a client must be specifically listed in the client's IWRP (89 Ill. Adm. Code 572).

b) The services described in this Subpart shall not be provided to any client when, as a result of the Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.100) (Assessment), there is evidence that an option other than self-employment exists which will provide, for the client with an equal or greater opportunity for a successful employment outcome.

Determination of success must be made by the client and counselor during the Assessment phase of case development.

c) Prior to the provision of such services, the client must complete a business plan for development of the business. The business plan shall include, but not be limited to:

- 1) a full description of the proposed business or service operation;
- 2) the client's qualifications for, interest in, and need for self-employment as an employment outcome as evidenced by the client's Assessment;
- 3) the estimated total capital needs for the establishment of the business and evidence of the availability of such funds (i.e., personal account statements, verification of loan availability, complete listing of all personal liabilities);
- 4) financial estimates for the first 12 months of operation;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- 5) plans for business development and marketing; and
- 6) evidence the proposed business has a reasonable chance of success (i.e., provide net income to meet a majority of the client's living expenses) as established by:

A) market surveys;

B) signed statements from consultants and experts that the business has a reasonable chance of success based on market conditions, demand and competition; and

- 7) commitment for additional financing necessary to make the business operational.

d) During the first six months of operation, the client must provide monthly statements to the counselor detailing the financial activity of the business including a statement of profit or loss.

e) At a minimum after the first three months and six months of operation, the client must provide the counselor full detailed inventory of all tools, equipment, supplies and stock purchased to establish the business, regardless of the purchaser. Frequency of the inventory shall be determined by the counselor and appropriate DORS staff.

f) All tools, equipment, supplies and initial stock shall be maintained by the client in good order. The client is expected to maintain all tools, equipment, supplies and initial stock in like-new condition. The client must ensure all proper up-keep and maintenance is done as specified by the manufacturer. In the event of break-down or defect, the client must have the item repaired. As most items carry a manufacturer warranty, all costs should be covered under such provisions.

g) The client is expected to maintain and replenish an adequate supply of all initial stock and supplies.

h) DORS shall maintain title to all tools, equipment, supplies and initial stock for at least the first six months of operation of the business enterprise.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

Disposition of the title shall be determined per 89 Ill. Adm. Code 590.350 and 590.360.

Section 590.330 Services/Goods not Available
EMERGENCY

DORS shall not purchase, or provide funding for the purchase of the following, under this Part:

- a) cash for establishing a business;
- b) purchase of any real property;
- c) remodeling of a building or facility which is non-essential to the operation of the business;
- d) purchase of a vehicle requiring licensure for street use;
- e) purchase of accounts receivable or business "goodwill";
- f) tax bonds;
- g) reimbursement for sales tax, interest or service charges;
- h) funds to pay wages for employees;
- i) funds to obtain patents or any associated costs ; and
- j) funds to develop and produce prototype products or any associated costs.

Section 590.340 Bidding Requirement
EMERGENCY

For the purchase of any tools, equipment, supplies and initial stock, under this Subpart DORS shall:

- a) follow its bidding procedures as required by 44 Ill. Adm. Code 1175; and
- b) obtain three or more competitive bids from qualified vendors for any purchase which exceeds \$500.00 unless the counselor, with input from the client, can document that the item(s) to be purchased is (are) available

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

from less than 3 sources. In such case the number of bids attainable shall be sought.

- c) The lowest bid received shall be selected in each case unless, there are documented reasons to reject the lowest bid or the client chooses another bidder and pays the difference between the bids. Documentation to reject the lowest bid shall include, but not be limited to, poor past service from the vendor submitting the lowest bid, the inaccessibility of the vendor for service and repair need, or the need to avoid delays in obtaining the item(s) when the lowest bidder indicates delivery of the items may be prolonged.

Section 590.350 Termination of Services and Recovery of
Tools, Equipment, Supplies and Initial Stock
EMERGENCY

- a) DORS shall retain title to any tools, equipment and supplies purchased for a client by DORS to establish a business.
- b) If, after establishment of the business and prior to conveyance of title of all tools, equipment, supplies and initial stock purchased by DORS, the business does not succeed, the client fails to cooperate by not providing all reports and records required by this Subpart, and/or deliberately misrepresents or has misrepresented necessary information, reports, and records for the purpose of receiving services, DORS shall make full recover all tools, equipment and remaining supplies and initial stock purchased by DORS for establishment of the business. Fair cash value shall be acceptable in lieu of recovering the tools, equipment, supplies and initial stock.
- c) All remedies available to DORS, including court action, shall be taken by DORS if the individual is unwilling to return the items.

Section 590.360 Transfer of Title
EMERGENCY

If, after completion of at least the first six months of a business enterprise, the documentation provided by the client and verified by the counselor indicates the client's success and an expectation that the business enterprise can be expected to

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

produce a major portion of the client's living expenses, title to any tools, equipment, supplies and initial stock purchased as part of the client's IWRP (89 Ill. Adm. Code 572) may be transferred by DORS to the client.

Section 590.370 Limitation of Financial Participation
EMERGENCY

DORS' financial participation in the establishment of a business for an individual client shall not exceed \$7000.00.

SUBPART E: VEHICLE ADAPTATION AND ENVIRONMENTAL MODIFICATION

Section 590.375 Provision of Services
EMERGENCY

All services described in this Subpart shall be provided in accordance with the provisions of this Subpart and Subpart A of this Part.

Section 590.380 Vendor Requirements
EMERGENCY

All vendors providing vehicle or environmental modifications under this Subpart shall provide DORS with a certificate of insurance verifying liability coverage with a minimum of \$500,000.

Section 590.390 Bidding Requirements
EMERGENCY

In the purchase of vehicle conversion or environmental modification, DORS shall:

- a) follow its bidding procedures as required by 44 Ill. Adm. Code 1175; and
- b) obtain three or more competitive bids from qualified vendors for any purchase which exceeds \$500.00 unless the counselor, with input from the client, can document that the item(s) to be purchased is (are) available from less than 3 sources. In such instances the number of bids attainable shall be sought.

Section 590.400 Vehicle Adaptation
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

DORS shall purchase the necessary vehicle adaptive equipment, and its installation, in accordance with Subpart A of the Part, with the exception listed in 590.140(c), and which are necessary to meet the minimum requirements for the individual client to safely operate his/her vehicle.

Section 590.410 DORS Financial Participation in Van Adaptation
EMERGENCY

- a) A one time unusual allowable expense is available (see 89 Ill. Adm. Code 562) for the purchase of a full-size (e.g., 1/2, 3/4 or 1 ton) van for transportation if the van is incidental to the client's employment goal and if:

- 1) due to the nature of the client's disability, he/she is unable to use an automobile, whether modified or not, or make use of public transportation;
 - 2) DORS agrees, as evidenced by the Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.100), that the purchase of the adaptive equipment is essential for the client's use of the vehicle;
 - 3) the van is purchased by, and title is held in the name of, the client, the client's spouse, or the client's parent;
 - 4) the van is purchased in the same calendar year as the adaptive equipment.
- b) When it is determined the client is eligible for the unusual allowable expense, it shall be calculated as follows:
- 1) \$7,000.00 shall be deducted from the price the client paid for the van; and
 - 2) the client may claim the remainder of the purchase price, up to \$6,000.00, as the one time unusual allowable expense to determine his/her financial eligibility for DORS assistance (see 89 Ill. Adm. Code 562).

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

NOTICE OF EMERGENCY RULES

c) DORS shall not pay for cost associated with the removal, replacement, repainting, relocation or restoration of such items as cabinets, beds, appliances etc. associated with the cost of adapting an individual client's van.

d) DORS financial participation for the conversion of a mini-van (less than a full-sized van (89 Ill. Adm. Code 590.380 (b)) shall not exceed that which is reasonable and customary to adapt a full-sized van. Such a determination shall be based on DORS records regarding previous van conversions and information received from the vendor and/or evaluator.

Section 590.420 Environmental Modification EMERGENCY

DORS shall purchase environmental modifications necessary for the client to meet his/her health and hygiene needs in accordance with Subpart A of this Part.

Section 590.430 Written Agreements for Environmental Modification EMERGENCY

When environmental modification is to be provided to a client, DORS shall, with assistance of the client, obtain a written agreement with the home's owner (if other than the client) prior to the initiation of such services if the modification shall permanently alter the property.

Section 590.440 Compliance with Capital Development Board Specifications EMERGENCY

All environmental modification services which include remodeling of a building provided to a client must be made in compliance with the specifications established by the Capital Development Board (71 Ill. Adm. Code 400 - Accessibility Standards).

SUBPART F: PERSONAL SUPPORT SERVICES AND AUXILIARY AIDS

Section 590.450 Provision of Services EMERGENCY

Individuals providing services under this Subpart shall meet the following qualifications:

- a) PA services - such individuals shall meet the standards set forth at 89 Ill. Adm. Code 700 - Service Plan

All services described in this Subpart shall be provided in accordance with the provisions of this Subpart and Subpart A of this Part.

Section 590.460 Types of Services EMERGENCY

a) For the purpose of this Subpart, Personal Support Services and Auxiliary Aids shall mean services provided by an individual or through electronic/mechanical devices which allow clients with sensory, manual or speaking impairment to achieve a level of performance equal to that of an individual who does not have such impairments.

b) Such services shall include, personal assistance (PA) services, interpreter services for clients who are deaf, drivers, sensory augmentation devices, readers, notetakers and accessible format documents (e.g., Braille, Large Print, audio tape).

Section 590.470 Provision of Services EMERGENCY

a) DORS shall provide such services to the client as determined necessary as a result of the Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.100) for the completion of his/her employment objective as described in his/her IWRP (89 Ill. Adm. Code 572).

b) Services provided by an individual (i.e., interpreter for the deaf, notetaker, reader, PA services) under this Subpart shall continue until the completion of the client's IWRP and attainment of a successful employment outcome and as determined necessary by the client and counselor.

Section 590.480 Qualifications for Services Provided by Individuals EMERGENCY

Individuals providing services under this Subpart shall meet the following qualifications:

- a) PA services - such individuals shall meet the standards set forth at 89 Ill. Adm. Code 700 - Service Plan

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

Development which enumerate the requirements for individuals who will provide PA services through DORS' Home Services Program.

- b) Readers and Notetakers - such an individual shall meet the approval of the client, with concurrence of the counselor, as to his/her ability to adequately perform such duties.
- c) Drivers - such an individual shall be licensed pursuant to the Illinois Motor Vehicle Code and shall meet the approval of the client, with concurrence of the counselor, as to his/her ability to adequately perform such duties.
- d) Interpreters for the Deaf - shall hold an appropriate Registered Interpreter for the Deaf (RID) certification or be approved by DORS and meet the approval of the client, with concurrence from the counselor.

Section 590.490 Payment for Support Services Provided by Individuals and Conditions of Service Provision

EMERGENCY

- a) Individuals providing PA services shall be paid only for those hours in which services are being provided to the client in the client's home or on the client's worksite and in accordance with the client's IWRP (89 Ill. Adm. Code 572).

An individual providing PA services to a VR client shall be paid at an hourly rate equal to that paid to an individual providing PA services through DORS' Home Services Program (see 89 Ill. Adm. Code 700.200(a)).

- b) An individual providing reader or notetaker services shall be paid only for those hours in which such services are being directly provided to the client and in accordance with the client's IWRP (89 Ill. Adm. Code 572).

An individual providing reader or notetaker services shall be paid the hourly rate established by DORS but never less than the hourly Federal Minimum Wage.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- c) An individual providing driver services to a client shall be paid an hourly rate for all driving and required waiting time and shall be reimbursed for mileage in accordance with State Travel Regulations (see 89 Ill. Adm. Code 3000. Appendix A).

An individual providing drivers services shall be paid the hourly rate established by DORS for such services but never less than the Federal Minimum Wage.

- d) An individual providing Interpreter Services for the Deaf shall be paid at the hourly, 1/2 day or full day rate established by DORS for his/her level of certification and in accordance with the following:

- 1) minimum payment shall be for a period of 2 hours even though actual work time may be less;
 - 2) if there is less than a one hour lapse during provision of services (e.g., lunch, break) the individual shall be paid for the entire time span of the assignment;
 - 3) an individual who is required to be on site even though he/she does not interpret shall be paid during that period of time;
 - 4) an individual who must travel more than 20 miles one-way for an assignment shall be paid travel reimbursement in accordance with State Travel Regulations (89 Ill. Adm. Code 3000. Appendix A);
 - 5) no payment shall be made to an interpreter whose assignment is cancelled more than 48 hours prior to the scheduled beginning of the assignment.
- If cancellation occurs less than 48 hours prior to the scheduled beginning of the assignment, payment for single day assignments, shall be paid for the entire scheduled assignment time. For multiple day assignments, the interpreter shall be paid for the time scheduled for the assignment during the first 48 hours of the scheduled assignment;
- 6) if a client does not appear for a scheduled appointment, the interpreter shall stay on-site for one hour. If the client does not appear after

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

NOTICE OF EMERGENCY RULES

the one hour wait, the interpreter shall consult the DORS contact person for instructions. The interpreter shall be paid in accordance with the provisions of section (1), (3) and (5) and reimbursed for travel in accordance with section (4) above.

- 7) if an interpreter has to cancel a scheduled assignment, he/she shall contact the DORS contact person immediately and assist in finding a suitable replacement. The suitability of the replacement shall be determined by the DORS contact person.

An interpreter who cancels a scheduled assignment shall not be paid for any of the scheduled services, reimbursed travel cost, or paid a finders fee for locating a replacement.

SUBPART G: COMPUTER EQUIPMENT AND SENSORY AID LOAN

Section 590.500 Provision of Services
EMERGENCY

DORS shall loan accessible computer equipment and sensory aids purchased through appropriations from the Assistance to the Blind Fund to individuals who are blind or visually impaired pursuant to the provisions of this Subpart. The provisions of Subpart A of this Part shall not apply.

Section 590.510 Definition
EMERGENCY

For the purpose of this Subpart, the following terms shall have the following meanings:

- a) Accessible Computer Equipment (Equipment) - specially designed and adapted computer hardware and software designed to enable individuals who are blind or visually impaired to use the equipment.
- b) Sensory Aids (Aids) - Adaptive devices used to minimize or overcome the limitations of visual impairment (e.g., refreshable braille display, speech synthesizer, etc.).

Section 590.520 Purpose of Equipment Loans
EMERGENCY

DORS shall loan available equipment (see 89 Ill. Adm. Code 590.570) for the purpose of enabling an individual to overcome an impediment to employment.

Section 590.530 Criteria for Loan of Equipment/Aids
EMERGENCY

Equipment/Aids may be loaned to eligible individuals for the following purposes:

- a) in emergency situations when the individual's own Equipment/Aids is/are being repaired or replaced;
- b) on a trial basis to assess the usefulness to the individual of the Equipment/Aids;
- c) while the individual is involved in a employer training program or during a time limited probationary period that may lead to permanent employment;
- d) in a permanent employment situation until the employer can purchase similar Equipment/Aids;
- e) for demonstration purposes for persons who are blind or visually impaired; or
- f) in an educational situation until similar Equipment/Aids can be purchased.

Section 590.540 Equipment/Aids Loan Request Procedures and Approval Process
EMERGENCY

- a) DORS shall loan Equipment/Aids under the following order of priority. Order of Selection (89 Ill. Adm. Code 553.140) shall not be followed for the purposes of this Subpart:
 - 1) clients of the VR program receiving services under the provisions of 89 Ill. Adm. Code 553 and Subpart A of this Part who are blind or visually impaired and require such Equipment/Aids to obtain or retain employment;
 - 2) employees of the State of Illinois who are blind or visually impaired;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- 3) residents of Illinois who require the Equipment/Aids to obtain or retain employment;
- 4) full-time students who are blind or visually impaired who require the Equipment/Aids for educational purposes.
- b) All requests for the loan of Equipment/Aids must be in writing to the Program Coordinator, Bureau of Blind Services and must include a completed LOAN AGREEMENT (IL 488-1999).
- c) Determination as to whether or not to loan Equipment/Aids shall be based on section (a) above and the justification and plan to replace the Equipment/Aids which shall be submitted as part of the request. If the individual to whom the equipment is loaned is a client of the VR Program, the plan to replace the equipment must be included in the client's IWRP.

Section 590.550 Duration of Loans
EMERGENCY

Equipment/Aids may be loaned for a period of 60 calendar days and may be extended an additional 30 days upon the written approval of the Program Manager, Bureau of Blind Services. DORS may extend the term of the loan if:

- a) no other client, employee or student as listed in subsection 590.540(a)(1)(4) needs the equipment; and
- b) the borrower demonstrates a continued need for the Equipment/Aids.

Section 590.560 Maintenance and Return of Equipment/Aids
EMERGENCY

- a) Maintenance of any loaned Equipment/Aids shall be the responsibility of the borrower.
- b) All Equipment/Aids shall be returned to DORS in good working order and condition at the borrower's expense.
- c) Responsibility for repair or replacement costs for Equipment/Aids which is not in good working order shall be the responsibility of the borrower unless the malfunction is the result of normal wear and tear.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

Normal wear and tear shall be determined by the manufacturer of the Equipment/Aids or by the manufacturer's authorized service area representative.

- d) The borrower shall be held responsible for the total replacement cost of any Equipment/Aids not returned to DORS by the specified date, and DORS may take necessary steps, including going into court, to recover the costs.

Section 590.570 Assistance in Obtaining Permanent Equipment/Aids
EMERGENCY

Obtaining permanent Equipment/Aids is the responsibility of the borrower; however, DORS Bureau of Blind Services shall assist the borrower in the determination of appropriate Equipment/Aids needs and assist in the coordination of the purchase of such Equipment/Aids, as appropriate.

Section 590.580 Limitations on Available Equipment/Aids
EMERGENCY

Only equipment designated as loan equipment and maintained on a current inventory list by DORS Bureau of Blind Services shall be available for loan by DORS.

SUBPART H: OTHER SERVICES

Section 590.590 Provision of Services
EMERGENCY

All services described in this Subpart shall be provided in accordance with the provisions of this Subpart and, unless otherwise stated, Subpart A of this Part.

Section 590.600 Transportation and Temporary Lodging
EMERGENCY

- a) When, during the completion of the client's IWRP (89 Ill. Adm. code 572) transportation and/or temporary lodging is necessary to complete his/her employment objective, DORS shall reimburse the client and, when the client requires a PA (89 Ill. Adm. Code 590.460), reimburse the PA, for travel and lodging expenses pursuant to Department of Central Management Service rules at 80 Ill. Adm. Code 2800 - Travel Regulations.

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

NOTICE OF EMERGENCY RULES

These expenses shall not be reimbursed once the client has attained his/her employment goal and received his/her first pay check.

- b) Transportation via ambulance will only be provided based on the client's IWRP (89 Ill. Adm. Code 572) and when ordered by the client's attending physician.

Section 590.610 Other Goods and Services EMERGENCY

- a) DORS may provide other services, including services to a client's family members, not specifically described in this Part which are necessary for a client to overcome his/her impediment to employment and attain a successful employment outcome unless specifically prohibited by Federal law or regulation, state law or DORS' rules.

- b) For the purpose of this Subpart, "family member" shall mean any relative by blood or marriage of the client and any other individual living in the client's household with whom the client has a close interpersonal relationship. A close interpersonal relationship is determined by the presence of an emotional commitment between the individuals, not by financial commitments. Adopted individuals shall be considered as family members.

Section 590.620 Equipment Sets EMERGENCY

- a) For the purposes of this Section, the provisions of Subpart A of this Part do not apply.
- b) DORS shall certify individuals as deaf, severely hard of hearing or deaf-blind for the purpose of obtaining equipment sets (Teletypewriter/Telephone Devices for the Deaf (TTYs/TDDs)) or telebraille devices) without charge per the Public Utility Act (Ill. Rev. Stat. 1991, ch. 111 2/3, par. 13-703) [220 ILCS 5/13-703].
- c) DORS shall certify individuals seeking eligibility for a TTY/TDD who are deaf or severely hard of hearing and who are: present clients, past clients for whom DORS holds records, or individuals known to certifying staff through professional affiliation (e.g., past clients

for whom DORS no longer has records, a family member of a client or former student of the Illinois School for the Deaf, the Illinois School for the Visually Impaired or Illinois Children's School and Rehabilitation Center).

- d) DORS will certify individuals who are seeking eligibility for a telebraille device who are:

- 1) deaf or severely hard of hearing;
- 2) blind or severely visually impaired;
- 3) capable of using Grade 1 Braille; and
- 4) a present or past DORS client.

If the individual's Braille skills are unknown, a series of short questions in Grade 1 Braille will be given to the individual by DORS staff for the individual to respond to in Braille.

- e) If the individual seeking certification from DORS is not known by DORS staff, as listed in subsections (c) and (d) above, DORS shall inform the individual of other certifying agents as listed at 83 Ill. Adm. Code 755.200.

SUBPART I: PLACEMENT

Section 590.630 Provision of Placement Services EMERGENCY

- a) All services described in this Subpart shall be provided in accordance with the provisions of this Subpart and Subpart A of this Part.
- b) Placement services are normally provided by DORS staff but there is no client financial participation (89 Ill. Adm. Code 562) required for any placement service.

Section 590.640 Description of Services EMERGENCY

Placement services are those services necessary to assist a client in obtaining employment in his/her chosen occupational area.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

Placement services shall include, but not be limited to:

- a) interviewing skills training;
- b) resume preparation;
- c) interview preparation;
- d) referral to other agencies and prospective employers; and
- e) identification of prospective employers.

SUBPART J: MAINTENANCE

Section 590.650 Provision of Services
EMERGENCY

All services described in this Subpart shall be provided in accordance with the provisions of this Subpart and Subpart A of this Part.

Section 590.660 Definitions
EMERGENCY

For the purpose of this Subpart, the following term shall have the following meanings.

Additional Costs - those costs incurred by a client as a direct result of his/her participation in an Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572).

Subsistence - a standard of living at which only the basic human needs are attained. For the purposes of this Subpart, DORS shall use the 185% of the Standard Need (89 Ill. Adm. Code 111 and 112) as determined by Department of Public Aid for its Aid to Families with Dependent Children Program, except that DORS shall use the number of the assistance unit size to be the family size of the client's family.

Section 590.670 Determination of the Need for Maintenance
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- a) Maintenance shall be provided to a client to cover the additional costs incurred as a result of participation in the services and activities necessary to overcome the impediment to employment and as listed in the IWRP (89 Ill. Adm. Code 572).
- b) DORS shall use the full cost of any item or services required by a client as a direct result of his/her participation in his/her IWRP in the determination of maintenance.
- c) In the event a client must relocate to a county other than his/her normal county of residence as a direct result of his/her participation in his/her IWRP, DORS shall use the 185% of Standard Need costs for a family of the size of the client's for each county. If the subsistence cost for the county to which the client is required to move is higher than the subsistence cost of his/her normal county of residence, DORS may, in addition to the maintenance described in (b) above, pay an amount up to the difference between the two subsistence amounts.

Section 590.680 Exceptions to Subsistence Standards
EMERGENCY

- a) If, because of the client's disability and/or circumstances beyond DORS control a client cannot be expected to exist on the amount determined as subsistence, a client's maintenance may be increased to the minimum level determined necessary for him/her to exist.
- b) Such an increase may only be granted with supervisory approval and then only when the counselor, with assistance from the client, can fully document why the client cannot be expected to exist on the subsistence amount and when all costs over and above the subsistence amount are clearly identified and documented in the client's case file.

SUBPART K: POST-EMPLOYMENT SERVICES

Section 590.700 Provision of Services
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

All services described in this Subpart shall be provided in accordance with the provisions of this Subpart and Subpart A of this Part.

Section 590.710 Definitions
EMERGENCY

For the purpose of this Subpart the follow terms shall have the following meanings:

Post-employment Services - VR services as described in this Part, provided to a client which do not require opening of a new case file or the client to undergo a new determination of eligibility (89 Ill. Adm. Code 553) when the client's closed case file is still available.

Rehabilitation Closure - a closure taken on a client's case when he/she was provided comprehensive services over an extended period of time which enabled the client to achieve a successful employment outcome.

Section 590.720 Scope of Services
EMERGENCY

Any service which may be provided to a client pursuant to this Part may be provided to a client in Post-employment services when, in the counselor's professional judgement and with the concurrence of the client: the client requires these services to maintain the employment which resulted in the Rehabilitation Closure; such services are directly related to those services provided to the client in his/her original IWRP and amendments (89 Ill. Adm. Code 572); the need for possible Post-employment services was identified at the time of closure of the client's case; the services will not entail an extended training period (i.e., six months or more); and such services will improve the client's level of independence and result in the termination of Post-employment services.

SUBPART L: TRANSITION

Section 590.730 Provision of Services
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

a) All services described in this Subpart shall be provided in accordance with the provisions of this Subpart and Subpart A of this Part.

b) All services provided to a client/student pursuant to this Subpart must:

- 1) be necessary as evidenced by his/her Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572);
- 2) be provided in coordination with the client/student's Individualized Education Program (IEP), per 89 Ill. Adm. Code 572.40;
- 3) be based on the client/student's needs taking into account his/her preferences and interests; and
- 4) include classroom instruction, community based work experience, development of employment and other post-secondary objectives, and, as appropriate, daily living skills and functional vocational assessment.

Section 590.740 Definitions
EMERGENCY

For the purpose of the Subpart, the following terms shall have the following meanings:

Transition -

a coordinated set of services for a client/student, usually enrolled at the secondary education level, designed to promote movement from school to post-school activities.

Post-school Activities -

vocationally oriented activities undertaken by a client/student after he/she leave the secondary education system. Such activities may include: post-secondary education; vocational training; integrated employment, including Supported Employment; continuing and adult education; VR services; and community participation.

NOTICE OF EMERGENCY RULES

NOTICE OF EMERGENCY REPEALER

- 11855 93
- Secondary Transitional Experience Program (STEP) - a program of transition services provided through cooperative agreement of DORS and a Local Educational Agency (LEA).
- Section 590.750 Secondary Transitional Experience Program (STEP)
- EMERGENCY
- a) While necessary transition services may be provided to any VR client, the majority of such services are provided through STEP. STEP is a cooperative program between DORS and LEAs in which DORS provides funding to LEAs to enhance transition services provided to clients/students.
 - Under cooperative agreements with the LEA, DORS provides funding to assist in the provision of:
 - 1) classroom instruction in the areas of career exploration;
 - 2) independent living and community mobility skills training; and
 - 3) in-school and community-based work experience.
 - b) STEP services are provided to individuals to enhance the educational and pre-vocational programming provided by the LEA and do not replace programming which the LEA is required to provide.
- Further, the primary responsibility for the provision of adaptive equipment and auxiliary aids necessary for the students to achieve the student's educational and pre-vocational goals shall rest with the LEA.

- 1) Heading of the Part: Tools, Equipment, Supplies and Initial Stock
 - 2) Code Citation: 89 Ill. Adm. Code 597
 - 3) Section Numbers:

597.10	Emergency Action:
597.15	Repealed
597.20	Repealed
597.100	Repealed
597.150	Repealed
597.200	Repealed
597.300	Repealed
597.310	Repealed
597.320	Repealed
597.330	Repealed
597.400	Repealed
597.410	Repealed
 - 4) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].
 - 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993
 - 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:
 - 7) Date filed in Agency's Principal Office: July 1, 1993
 - 8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act require immediate implementation of certain provisions contained in the amendments.
- In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.
- Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.

- 9) A Complete Description of the Subject and Issues Involved:
This Part is being repealed due to the changes required by the 1992 Amendments to the Rehabilitation Act. As the changes required by the amendments are so dramatic, most of the provisions contained in this Part are no longer applicable or appropriate, thus necessitating repeal of the Part.
- 10) Are there any other amendments pending on this Part? No
- 11) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives (if applicable):
Not Applicable
- 12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301
- If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule(amendments, repealer) begins on the next page:

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 597
TOOLS, EQUIPMENT, SUPPLIES AND INITIAL STOCK
(Repealed)

- Section
597.10 General Applicability
EMERGENCY
597.15 Purchase of Tools, Equipment, and Stock
EMERGENCY
597.20 Tools, Equipment, Supplies and Initial Stock
EMERGENCY
597.100 Services not Available
EMERGENCY
597.150 Vendor Requirements
EMERGENCY
597.200 Adaptive Equipment for Vehicles
EMERGENCY
597.300 Home Modifications
EMERGENCY
597.310 Written Agreements for Home Modifications
EMERGENCY
597.320 Capital Development Board Specifications
EMERGENCY
597.330 Electronic Equipment
EMERGENCY
597.400 Responsibility for Sales Tax and Interest/Service Charges
EMERGENCY
597.410 Bidding Requirements
EMERGENCY

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a),(b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

SOURCE: Adopted at 9 Ill. Reg. 8843, effective June 10, 1985; amended at 10 Ill. Reg. 10749, effective June 4, 1986; amended at 11 Ill. Reg. 4320, effective March 2, 1987; amended at 11 Ill. Reg. 15229, effective August 31, 1987; amended at 11 Ill. Reg. 19133, effective November 9, 1987; amended at 13 Ill. Reg. 1568, effective January 23, 1989; amended at 13 Ill. Reg. 16558, effective October 10, 1989; amended at 16 Ill. Reg. 12583,

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

effective July 24, 1992; Emergency Repealer at 17 Ill. Reg. 11856, effective July 1, 1993, for a maximum of 150 days.

Section 597.10 General Applicability
EMERGENCY

Rules contained within this Part are applicable to all Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) clients.

Section 597.15 Purchase of Tools, Equipment, and Stock
EMERGENCY

The provisions of services as contained within this Part are contingent upon the client's financial participation (89 Ill. Adm. Code 562) in the purchase of the services and the use of similar benefits (89 Ill. Adm. Code 567).

Section 597.20 Tools, Equipment, Supplies and Initial Stock
EMERGENCY

Tools, equipment, supplies, and initial stock, i.e., necessary to begin a business, provided to a client as part of the Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572) are the property of DORS. Prior to the provision of these services, the client must furnish complete evidence of his/her qualifications for, interests in, and need for such employment as determined from the Thorough Diagnostic Study (89 Ill. Adm. Code 552.90); that personal funds and/or business loans are available as shown by loan papers and bank account balances; and that the proposed enterprise offers a reasonable chance for a successful and long-range occupation with eventual actual net earnings to meet the major portion of usual living expenses for the client and his/her family as established by a market survey, projected balance sheet estimating operational costs and revenues, a plan for development of the business, testimonials by professionals in that business, signed contracts and sub-contracts, and opinions from consultants in that area as needed. The client must provide the counselor with monthly income statements indicating profit or loss after the business has been approved and established by DORS for a period of six months. The client must maintain the tools, equipment and supplies in good repair. Title to such goods shall be assigned to the client after six months from date of installation or use by the client if the goods are still in use for the purpose identified in the IWRP and have been kept in good repair. DORS

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

participation in these services to an individual client shall be limited to \$7000.00.

Section 597.100 Services not Available
EMERGENCY

Services not available to individual clients from DORS are:

- a) cash for establishing a business enterprise,
- b) purchase of land,
- c) purchase of a building, although buildings of a portable nature may be purchased if they are considered as those facilities for a business undertaking which are customarily furnished to the operator of a similar business occupying premises under a short-term lease (i.e., one year or less),
- d) remodeling of a building for purposes which are not necessary and essential for the operation of the business identified as the client's vocational goal,
- e) purchase of automobiles, trucks, or other vehicles requiring license for street use,
- f) purchase of accounts receivable or business "goodwill", and
- g) tax bonds.

Section 597.150 Vendor Requirements
EMERGENCY

Vendors providing van, auto, or home modification (see Sections 597.200 and 597.300) for DORS' clients must provide DORS with a certificate of insurance verifying liability coverage although no specific dollar amount of coverage is required.

Section 597.200 Adaptive Equipment for Vehicles
EMERGENCY

- a) DORS participation in the purchase of adaptive equipment for vehicle operation (e.g., driving hand controls, wheelchair lifts, power seats, automatic door openers) shall be based upon the minimum equipment needs to operate the vehicle as determined by the client's

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

disability (as established in 89 Ill. Adm. Code 552) and the goals and objectives stated in the client's Individualized Written Rehabilitation Program (89 Ill. Adm. Code 572).

- b) There is a one time unusual allowable expense deduction given to a client when determining client financial participation (89 Ill. Adm. Code 562.30(d)(5)) if she or he purchases a full size van (e.g., 1/2, 3/4, 1 ton) required for transportation incident to his or her VR program.

- 1) This deduction is only available if all of the following conditions are met:

A) due to the nature of the disability (e.g., inability to transfer from a wheelchair to a car seat, the inability to load a wheelchair into a car, the inability to drive a car), the client is unable to utilize an automobile or other modes of transportation (e.g., buses, subways);

B) DORS has agreed to purchase adaptive equipment essential for the client's use of the van;

C) the van is purchased by the client; spouse; or, if the client is a minor child, by the parent or legal guardian; and

D) the deduction can only be taken in the same calendar year as the purchase of the adaptive equipment by DORS.

- 2) When it is determined the client is eligible for the deduction, the following calculations are to be used to determine the amount of the deduction:

- A) a one time deductible of \$7,000.00 must be subtracted from the purchase price of the van; and
- B) the client may then take the remainder of the purchase price, up to a maximum of \$6,000.00, as an unusual allowable expense deduction.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

- c) If costs are incurred to install adaptive equipment because of the need to remove, replace, repaint, relocate or restore items such as cabinets, beds, appliances, etc., those costs will be paid by the client. These costs are established by the vendors.
- d) If costs incurred to convert a "mini" size van, (less than a full size van) are over and above the costs of converting a full size van, those costs will be paid by the client. These costs are established by the vendors.

Section 597.300 Home Modifications EMERGENCY

Home modifications are limited to those modifications determined necessary to meet the basic health and hygiene needs of the client as determined by the counselor based on the client's disability and resulting limitations in gaining access to the client's home and the rooms contained therein.

Section 597.310 Written Agreements for Home Modifications EMERGENCY

When a home modification is planned for a client, the counselor must obtain a written agreement between the home's owner (if other than the client) and DORS.

Section 597.320 Capital Development Board Specifications EMERGENCY

All modifications must be made in compliance with specifications of the Capital Development Board (71 Ill. Adm. Code 400 "Accessibility Standards").

Section 597.330 Electronic Equipment EMERGENCY

The purchase of all 2-way radios, Telephone Devices for the Deaf (TDD's), word processor/computer hardware/software and data lines, and telecommunication devices require prior approval of the Department of Central Management Services.

Section 597.400 Responsibility for Sales Tax and Interest/Service Charges EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

DORS will not reimburse clients for sales tax, interest/service charges.

Section 597.410 Bidding Requirements
EMERGENCY

- a) Bidding requirements are in accordance with DORS' purchasing rules (44 Ill. Adm. Code 1175).
- b) Three or more competitive bids from qualified suppliers are necessary for the purchase of any materials which cost \$500 or more with the exception of medical equipment purchased under 89 Ill. Adm. Code 587. However, if the merchandise is verified by the counselor as available from only one source, only one bid is required. The lowest of the three bids must be accepted unless there are specific, thoroughly justified circumstances making it unacceptable. These circumstances may include, but are not limited to, poor service from the vendor in the past, the inaccessibility of the vendor for service or repair needs, or the need to avoid delays in established vocational objectives.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

1) Heading of the Part: Training Services

2) Code Citation: 89 Ill. Adm. Code 592

3) Section Numbers:

592.10	Repealed	<u>Emergency Action:</u>
592.20	Repealed	
592.30	Repealed	
592.40	Repealed	
592.45	Repealed	
592.50	Repealed	
592.55	Repealed	
592.60	Repealed	
592.65	Repealed	
592.70	Repealed	
592.75	Repealed	
592.80	Repealed	
592.85	Repealed	
592.90	Repealed	

4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)]

5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1993

6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

7) Date filed in Agency's Principal Office: July 1, 1993

8) Reason for Emergency: The 1992 Amendments to the Rehabilitation Act require immediate implementation of certain provisions contained in the amendments.

In order to ensure Illinois is in compliance with the federal requirements, and to ensure the welfare of those individuals receiving services through the Vocational Rehabilitation (VR) Program, this emergency action is necessary.

Failure on DORS part to make the immediate changes required by the amendments will jeopardize the federal participation in the VR Program, thus putting the safety and welfare of those individuals receiving services at risk.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

9) A Complete Description of the Subject and Issues Involved:
This Part is being repealed due to the changes required by the 1992 Amendments to the Rehabilitation Act. As the changes required by the amendments are so dramatic, most of the provisions contained in this Part are no longer applicable or appropriate, thus necessitating repeal of the Part.

10) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation
11) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule(amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 592
TRAINING SERVICES
(Repealed)

Section	General Applicability
592.10	EMERGENCY
592.20	Training Objectives
592.30	Insurance Requirement
592.40	Transportation
592.45	Training Institution Qualifications
592.50	Tuition
592.55	Tutorial (Education or Language) Services for Deaf Individuals
592.60	Graduate School Training
592.65	Default on Educational Grants and Loans
592.70	Books and Supplies
592.75	Summer School
592.80	Grades
592.85	Health
592.90	On-the-Job Training
	EMERGENCY

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a),(b), and (k) [20 ILCS 2405/3(a), (b), and (k)]).

SOURCE: Adopted at 9 Ill. Reg. 8850, effective June 10, 1985; amended at 11 Ill. Reg. 9958, effective May 8, 1987; amended at 11 Ill. Reg. 20211, effective November 30, 1987; amended at 13

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

Ill. Reg. 1573, effective January 23, 1989; amended at 14 Ill. Reg. 1473, effective January 5, 1990; amended at 15 Ill. Reg. 5757, effective April 9, 1991; Emergency Repealer at 17 Ill. Reg. 11864 effective July 1, 1993, for a maximum of 150 days.

Section 592.10 General Applicability EMERGENCY

Rules contained within this Part are applicable only to Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) client.

Section 592.20 Training Objectives EMERGENCY

The Department of Rehabilitation Services (DORS) will only provide vocational or educational training as contained within this Part to enable the client to achieve the vocational goal as established in the Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572). These training needs are determined by the counselor based upon his or her professional judgement and knowledge of entry level requirements contained in the U.S. Department of Labor's Dictionary of Occupational Titles and as learned from employers.

Section 592.30 Insurance Requirement EMERGENCY

DORS clients attending academic training are to obtain medical health-related insurance offered by the training institution unless they are covered by a comparable private plan which provides the same or equal level of benefits. If the client is enrolled full time and meets the economic needs test, DORS will assist in purchasing such coverage as set forth in "Client Financial Participation" (89 Ill. Adm. Code 562).

Section 592.40 Transportation EMERGENCY

If housing is not provided on campus, transportation will be provided only when necessary for the clients to get to their training programs.

Section 592.45 Training Institution Qualifications EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

Training Institutions (academic or vocational/technical) must be approved by, or registered with, the State Board of Education (see 23 Ill. Adm. Code 1, 25, 254, 401, and 451), or the Board of Higher Education (see 23 Ill. Adm. Code 1000, 1010, 1030 and 1050), or the Illinois Community College Board (see 23 Ill. Adm. Code 1501), or registered with the Department of Professional Regulation (see 68 Ill. Adm. Code: Chapter I, Subchapter b).

Section 592.50 Tuition EMERGENCY

- a) If a client is attending a private school or an out of state school merely out of choice and comparable quality training based upon accessibility, course offerings, and reputation is available at a state-operated facility, DORS may authorize for the total cost of attendance (including tuition, fees and maintenance) up to the maximum amount the highest state-operated facility would cost, less scholarships, other similar benefits (89 Ill. Adm. Code 567), and client participation (89 Ill. Adm. Code 562).
- b) If a client is attending a private school or an out of state school because there is no comparable training available at a state-operated facility, costs less than a state-operated school, or is doing so because of medical recommendations from the client's physician, DORS will authorize for the total cost (including tuition, fees, and maintenance), less scholarships, similar benefits, and client financial participation.
- c) If a client chooses to attend a private vocational school and comparable training is available at a local community college, DORS shall only pay tuition and fees up to the established community college rate. Whether a community college's training is comparable to a private vocational school, shall be determined by the DORS counselor based on a review of the community college's curriculum, recommendations of colleagues and the experience of other DORS clients/counselors.
- d) If a client chooses to attend a community college outside his/her community college district due to program accessibility, and the IWRP (89 Ill. Adm. Code 572) reflects the counselor's agreement with the decision, DORS may pay the charge back only if the local community college district refuses to pay it.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

Documentation of the refusal must be obtained prior to authorization.

Section 592.55 Tutorial (Education or Language) Services for Deaf Individuals

EMERGENCY

Tutors must:

- a) be certified by the State Board of Education, or
- b) hold a bachelor's degree in deaf education (a special education program which meets the unique needs of students whose primary disability is an auditory impairment) from an accredited college/university, or
- c) be approved by the Manager, DORS' Division of Services for the Hearing Impaired (DSHI), based on the applicant's signing skills (e.g., the ability to sign and read sign language) and related experience/education (e.g., tutoring, any post-secondary work toward a degree in deaf education or a unique understanding of the language and culture of deafness based on his/her personal or professional experience). Applicants providing a letter of recommendation from other service providers (attesting to the applicant's signing skills, educational background and experience) shall not be required to appear for a personal interview, but must submit a resume. Applicants without a letter of recommendation from other service providers shall be required to appear for a personal interview, demonstrate signing skills, and submit a resume.

Section 592.60 Graduate School Training

EMERGENCY

Graduate school is provided only when the counselor determines that it is necessary for a client to achieve the vocational goal for entry level employment established in the client's IWRP.

Section 592.65 Default on Educational Grants and Loans

EMERGENCY

DORS shall not provide financial assistance for post-secondary education to a client who is in default on any educational grant or loan, (as authorized by Title IV of the Higher Education Act,

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

as amended (20 U.S.C. 1091(a)(3)) unless the counselor determines that:

- a) a repayment or deferral agreement has been made with the lender; or
- b) a repayment effort is being made by the client, however due to the client's financial situation, a repayment or deferral agreement cannot be reached with the lender.

Section 592.70 Books and Supplies

EMERGENCY

Only books and supplies required by the training facility's program will be paid for by DORS.

Section 592.75 Summer School

EMERGENCY

Summer school shall be provided only for those clients who:

- a) will graduate at the conclusion of the summer term; or
- b) must complete a course sequence for degree/graduation requirement that is offered only in the summer; or
- c) are students with dependents who rely on DORS' sponsorship to provide their housing during training.

Section 592.80 Grades

EMERGENCY

DORS will sponsor a client in an educational institution as long as the client maintains the grade point average (GPA) established by that institution as sufficient to meet graduation requirements for each grading period (e.g., semester, quarter or term). If at any time, a client's grades fall below the cumulative GPA sufficient to meet graduation requirements, DORS will support the client for one additional grading period, regardless of when taken, if the client and his/her counselor continue to agree that academic training is an appropriate objective. During this grading period, the student must achieve the cumulative GPA required for graduation. If the educational institution does not have a grade point requirement, the client must maintain at least a "C" average (2.0 on a 4.0 system) or its equivalent.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY REPEALER

Section 592.85 Health
EMERGENCY

- a) If a client is prevented from attending classes regularly due to health reasons, he/she must secure a written verification of his/her condition from a physician or the institution's health service.
- b) If a client withdraws from a training institution due to health reasons he/she must obtain a written verification of his/her condition from a physician.
- c) If a client attending a training institution is hospitalized, he/she must inform the DORS counselor, in advance if possible.

Section 592.90 On-the-Job Training
EMERGENCY

When providing on-the-job training for clients, the following requirements must be met:

- a) a training plan must be developed which specifies objectives, supplies needed, length of training period. This plan is based upon the abilities of the client and the requirements of the job being learned.
- b) the trainer/employer's payment to the client must be for at least minimum wage, unless a U.S. Department of Labor Training Certificate WH 224 has been issued pursuant to 23 U.S.C. 201 et seq., which allows the employer to pay less than minimum wage during training.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF MODIFICATION
TO MEET THE OBJECTION OF THE JOINT COMMITTEE
ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Triplicate Prescription Control Program
- 2) Code Citation: 77 Ill. Adm. Code 2080
- 3) Section Numbers: Action:
 2080.10 Amended
 2080.20 Amended
 2080.30 Amended
 2080.50 Amended
 2080.60 Amended
 2080.70 Amended
 2080.80 Amended
 2080.120 Amended
 2080.140 Amended
 2080.150 Amended
 2080.160 Amended
 2080.170 Amended

- 4) Date Notice of Proposed Rules Published in the Register (if applicable):
 July 17, 1992, 16 Ill. Reg. 11367

- 5) Date JCAR Statement of Objection Published in the Register:
 October 30, 1992, 16 Ill. Reg. 16691

- 6) Summary of Action Taken by the Agency: Amendments were modified to include only the technical revisions and updating. The proposed changes regarding fee for prescription pads were deleted.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

- 1) Rule Affected: Savings Bank Act (38 Ill. Adm. Code 1075)
- 2) Publication of Rulemaking Requiring Correction: Amendments to Sections 1075.2350, 1075.2360, 1075.2370, and 1075.2390 which were proposed on March 5, 1993 (17 Ill. Reg. 2727) were adopted effective June 7, 1993. The Notice of Adopted Amendments was published on June 18, 1993 (17 Ill. Reg. 8894).
- 3) Agency Representative:
Questions or comments concerning this request for correction may be directed to Jay R. Stevenson, Deputy Commissioner, Office of the Commissioner of Savings and Residential Finance, 500 East Monroe Street, Suite 800, Springfield, Illinois 62701-1509. He may be contacted by telephone at (217) 782-6169.

4) Reason Certificate of Correction Is Requested:

The published and filed text of the Adopted Amendments failed to fully identify incorporated matter by publisher address and date in order to specify how a copy of the material may be obtained. The text also failed to state that the rule, regulation, standard, or guideline did not include any later amendments or editions.

5) Effect on the Affected Public:

- a) Public interest to be served: These corrections will facilitate public access to the properly adopted text of the rules.
- b) Will any hardship be created for the affected public?
No.
- c) Measures taken and to be taken by the Agency to make the corrections known to the public: The Agency will distribute copies of the adopted rulemaking with the corrected Sections to the affected public.

- 6) Effective Date of Correction Recommended by the Agency and Explanation of the Recommended Date: June 7, 1993. The effective date will not be affected by the inadvertent failure to include the corrections in the text of the adopted amendments. The corrections are grammatical unintentional discrepancies between adopted rule text and agreements certified by the Committee during the second notice period.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

On that basis, the corrected text reflects the amendments as effective June 7, 1993.

- 7) Effective Date of Request for Correction: June 7, 1993.
- 8) The full text of the Sections, indicating the requested corrections, follows:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

Section 1075.2350 Proxy Statement -- Directors and Executive Officers

- a) Furnish the information regarding directors and executive officers and certain relationships and related transactions required to be disclosed in a registration or proxy statement filed under the Securities Exchange Act of 1934. (15 U.S.C. 78a et seq.), as amended to July 1, 1991. In particular, see Items 401 and 404 of the "General Rules Regarding Disclosures: Regulations S-K - Standard Instructions for Filing Forms under Securities Act of 1933 and the Securities Exchange Act of 1934" (17 CFR 229.401 and 404, November, 1992, no subsequent dates or editions), and Item 6 of Regulation 14A of the "Rules and Regulations Under Securities Exchange Act of 1934 (17 CFR 240.14a-101, October, 1992, no subsequent dates or editions). Unless the context otherwise requires, the words "registrant" and "issuer" in those regulations shall refer to the applicant and the word "Commission" shall refer to the Commissioner.

- b) State whether control of the applicant has been exercised through the use of proxies and the nature of such control.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2360 Proxy Statement -- Management Remuneration

Furnish the information regarding management remuneration required to be disclosed in a registration or proxy statement filed under the Securities Exchange Act of 1934. In particular, see Item 402 of the "General Rules Regarding Disclosures: Regulations S-K - Standard Instructions for Filing Forms under Securities Act of 1933, no subsequent dates or editions, U.S. Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, DC 20549, as of the effective date of this Section 1075.2360, ~~or as thereafter amended~~, and the Securities Exchange Act of 1934" (17 CFR 229.402 and 404, 1992, no subsequent dates or editions), and Item 7 of Regulation 14A of the "Rules and Regulations Under Securities Exchange Act of 1934 (17 CFR 240.14a-101) as of the effective date of this Section 1075.2360, no subsequent dates or editions ~~or as thereafter amended~~. Unless the context otherwise requires, the words "registrant" and "Commission" in those regulations shall refer to the applicant and to the Commissioner, respectively.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

Section 1075.2370 Proxy Statement -- Business of the Applicant

- a) Narrative description of business.

- 1) Discuss briefly the organizational history of the applicant, including the year of organization, the identity of the chartering authority, and any charter conversions.
- 2) Describe the business conducted and intended to be conducted by the applicant and its subsidiaries. This should include a description of the general development of the business of the applicant and any predecessor(s) during the past five years, or such shorter period as the applicant may have been engaged in business. Information shall be disclosed for earlier periods if material to an understanding of the general development of the business. Any material changes in the mode of conducting the business should be discussed.

- 3) Consideration should be given to inclusion of a description of the applicant's historical practices, including the average remaining term to maturity of its portfolio of mortgage loans, and present intention regarding the making of loans, whether real estate or other, the nature of security received, the terms of loans, whether carrying fixed or variable interest rates, and the retention of loans or their resale in secondary mortgage markets. Historical description might require a general identification of the magnitude of various activities.

- 4) Also explain any significant impact to the institution as a result of any material acquisitions.

- b) Selected financial data -- Furnish in comparative columnar form a summary of selected financial data for the applicant for:

- 1) each of the last five fiscal years of the applicant (or for the life of the applicant and its predecessors, if less); and

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

2) any additional fiscal years necessary to keep the summary from being misleading.

3) In furnishing the information required by this subsection, the following shall apply:

A) The purpose of the summary of selected financial data shall be to supply in convenient and readable format selected data which highlight significant trends in the applicant's financial condition and results of operations.

B) Subject to appropriate variation to conform to the nature of the applicant's business, the following items, as a minimum, shall be included in the summary: Total interest income; total interest expense; income (loss) from continuing operations; net income; total loans; total investments; total assets; total savings; total borrowings; total capital; and total number of customer service facilities indicating the number which provide full service. Applicants may include additional items which they believe would enhance understanding and highlight trends in their financial condition and results of operation. Briefly describe, or cross reference to a discussion of, factors such as accounting changes, business combinations, or dispositions of business operations that materially affected the comparability of the information reflected in selected financial data. Discussion of, or reference to, any material uncertainties should also be included where those matters might cause the data reflected not to be indicative of the applicant's future financial condition or results of operations.

C) Those applicants which elect to provide 5 year summary information in accordance with Section C28 of the Financial Accounting Standards Board's Statement of Financial Accounting Standards (FASB Statement 89), "Financial Reporting and Changing Prices," Accounting Standards Current Text General Standards as of June 1, 1992, no subsequent date or addition. Financial Accounting Standards Board, 401

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

Merritt 7, P.O. Box 5116, Norwalk, CT 06856-5116, may combine such information with the selected financial data appearing pursuant to this Section.

D) All references to the applicant in the summary and in these instructions shall mean the applicant and its consolidated subsidiaries.

E) If interim-period financial statements are included, or are required to be included by Section 1075.2450, applicants should update the selected financial data for the interim period to reflect any material change in the trends indicated; where such updating information is necessary, applicants should provide the information on a comparative basis unless not necessary to an understanding of the updating information.

c) Management's discussion and analysis of financial condition and results of operation.

1) Discuss applicant's financial condition, and results of operation. The discussion shall provide information as specified in subsection (c)(1)(A), (B), and (C) below with respect to liquidity, capital resources, and results of operations and also should provide all other information which the applicant believes to be necessary to an understanding of its financial condition, changes in financial condition, and results of operations. Significant business combinations should be discussed. Discussion of liquidity and capital resources may be combined whenever the two topics are interrelated. Where in the applicant's judgment a discussion of subdivisions of the applicant's business would be appropriate to an understanding of the business, the discussion should focus on each relevant, reportable segment or other subdivision of the business and on the applicant as a whole.

A) Liquidity -- Identify any known trends or any known demands, commitments, events, or uncertainties which will result in or which are reasonably likely to result in the applicant's liquidity increasing or decreasing

REQUEST FOR CORRECTION

in any material way. If a material deficiency is identified, indicate the course of action which the applicant has taken or proposes to take to remedy the deficiency. Identify and separately describe internal and external sources of liquidity, and briefly discuss any material unused sources of liquid assets. Comment on maturity imbalances between assets and liabilities and planned activities in the secondary mortgage market.

B) Committed resources.

i) Describe the applicant's material commitments for loan fundings or other expenditures as of the end of the latest fiscal period and indicate the general purpose of the commitments and the anticipated source of funds needed to fulfill the commitments.

ii) Describe any known material trends, favorable or unfavorable, in the applicant's committed resources. Indicate any expected material changes in the mix and the relative cost of the resources. This discussion should consider changes between savings, equity, debt, and any off-balance-sheet financing arrangements.

C) Results of operations.

i) Describe any unusual or infrequent events or transactions or any significant economic changes that materially affected the amount of reported income from continuing operations and, in each case, indicate the extent to which income was affected. In addition, describe any other significant components of revenues or expenses which, in the applicant's judgment, should be described in order to understand the applicant's results of operations.

ii) Describe any known trends and uncertainties which have had, or which

REQUEST FOR CORRECTION

the applicant reasonably expects will have, a materially favorable or unfavorable impact on net sales or revenues or income from continuing operations. If the applicant knows of events which will cause a material change in the relationship between costs and revenues (such as known future increases in costs of money or interest rates), the change in the relationship should be disclosed.

iii) To the extent that the financial statements disclose material increases in interest expense, provide a narrative discussion of the extent to which the increases are attributable to increases in rates or to increases in volume.

iv) For the three most recent fiscal years of the applicant, discuss the impact of inflation and changing prices on the applicant's revenues and on income from continuing operations.

v) For the most recent financial statement presented, discuss any unusual risk characteristics in the assets of the applicant. This would include real estate development, significant amounts of commercial real estate as loan collateral, and any other significant risk factors inherent in the applicant's lending or investment portfolios, including significant increases in amounts of non-accrual, past due, restructured, and potential problem loans (U.S. Securities and Exchange Commission's Securities Act Industry Guide 3, Section III C, 1992, no subsequent dates or editions, U.S. Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, DC 20549).

D) In completing subsection (c)(1) above, the following shall apply:

i) The applicant's discussion and analysis

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

REQUEST FOR CORRECTION

shall be of the financial statements and of other statistical data which the applicant believes will enhance a reader's understanding of its financial condition, changes in financial condition, and results of operations. Generally, the discussion should cover the 3 year period covered by the financial statements and should use year-to-year comparisons or other formats which in the applicant's judgment enhance a reader's understanding. However, where trend information is relevant, reference to the five-year selected financial data appearing in subsection (b) above may be necessary.

- ii) The purpose of the discussion and analysis should be to provide to investors and other users information relevant to an assessment of the financial condition and results of operations of the applicant as determined by evaluating the amounts and certainty of cash flows from operations and from outside sources. The information provided in this subsection need only include that which is available to the applicant without undue effort or expense and which does not clearly appear in the applicant's financial statements.

- iii) The discussion and analysis should specifically focus on material events and uncertainties known to management which would cause reported financial information not to be necessarily indicative of future operating results or of future financial condition. This would include description and amounts of matters which would have an impact on future operations and have not had an impact in the past, and matters which have had an impact on reported operations and are not expected to have an impact upon future operations.

- iv) Where the consolidated financial statements reveal material changes from year to year in one or more line items,

the causes for the changes should be described to the extent necessary to an understanding of the applicant's business as a whole; provided, however, if the causes for a change in one line item also relate to other line items, no repetition is required and a line-by-line analysis of the financial statements as a whole is not required or generally appropriate. Applicants need not recite the amounts of changes from year to year which are readily computable from the financial statements. The discussion should not merely repeat numerical data contained in the consolidated financial statements.

- v) The term "liquidity" as used in subsection (c)(1)(A) above refers to the ability of an enterprise to generate adequate amounts of cash to meet the enterprises' needs for cash. Except where it is otherwise clear from the discussion, the applicant should indicate those balance sheet conditions or income or cash flow items which the applicant believes may be indicators of the liquidity condition. Liquidity generally should be discussed on both a long-term and short-term basis. The issue of liquidity should be discussed in the context of the applicant's own business or businesses.

- vi) Applicants are encouraged, but not required, to supply forward-looking information. This is to be distinguished from presently known data which will have an impact upon future operating results, such as known future increases in rates or other costs. This latter data is required to be disclosed.

- vii) Applicants which elect to provide narrative explanations of supplementary information disclosed in accordance with SFAS 89, as referred to in subsection(b)(3)(C) above, may combine the explanations with their discussion and

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

analysis required pursuant to this provision or they may supply the information separately. If the information is combined, it shall be located in reasonable proximity to the discussion and analysis. If the information is not combined, the discussion of the impact of inflation otherwise required by this subsection may be omitted if there is an appropriate cross reference to the explanations provided pursuant to SFAS 89, as referred to in Section 1075.2370(b)(3)(C).

viii) Applicants which elect not to provide explanations of supplementary information disclosed in accordance with SFAS 89 may discuss the effects of inflation and changes in prices in whatever manner appears appropriate under the circumstances. Although voluntary compliance with SFAS 89 is encouraged, all that is required is a brief textual presentation of management's views. No specific numerical financial data need be presented.

ix) All references to the applicant in the discussion and in these instructions shall mean the applicant and its consolidated subsidiaries.

2) If interim-period financial statements are included or are required to be included by Section 1075.2440, a management's discussion and analysis of the financial condition and results of operations shall be provided to enable the reader to assess material changes in financial condition and results of operations between the period specified in subsection (c)(2)(A) and (B) below. The discussion and analysis shall include a discussion of material changes in those items specifically listed in subsection (c)(1) above, except that the impact of inflation and changing prices on operations for interim periods need not be addressed.

A) Material changes in financial condition.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

Discuss any material changes in financial condition from the end of the preceding fiscal year to the date of the most recent interim balance sheet provided. If the interim financial statements include an interim balance sheet as of the corresponding interim date of the preceding fiscal year, any material change in financial condition from that date to the date of the most recent interim balance sheet provided shall also be discussed. If discussions of changes from both the end and the corresponding interim date of the preceding fiscal year are required, the discussions may be combined at the discretion of the applicant.

B) Material changes in results of operations. Discuss any material changes in the applicant's results of operations with respect to the most recent fiscal year-to-date period for which an income statement is provided and the corresponding year-to-date period of the preceding fiscal year. If the applicant is required to or has elected to provide an income statement for the most recent fiscal year quarter, the discussion also shall cover material changes with respect to that fiscal quarter and the corresponding fiscal quarter in the preceding fiscal year. In addition, if the applicant has elected to provide an income statement for the 12-month period ended as of the date of the most recent interim balance sheet provided, the discussions shall also cover material changes with respect to that 12-month period and the 12-month period ended as of the corresponding interim balance sheet date of the preceding fiscal year.

C) In completing subsection (c)(2) above, the following instructions shall apply:

i) If interim financial statements are presented together with financial statements for full fiscal years, the discussion of the interim financial information shall be prepared pursuant to subsection (c)(2) above and the discussion of the full fiscal year information shall

REQUEST FOR CORRECTION

be prepared pursuant to subsection (c)(1) above. Such discussions may be combined.

- ii) The discussion and analysis required by subsection (c)(2) above is required to focus only on material changes. Where the interim financial statements reveal material change from period to period in one or more significant line items, the causes for the changes should be described; if they have not already been disclosed; however, if the causes for a change in one line item also relate to other line items, no repetition is required. Applicants need not recite the amounts of changes from period to period which are readily computable from the financial statements. This discussion should not merely repeat numerical data contained in the financial statements. The information provided should include that which is available to the applicant without undue effort or expense and which does not clearly appear in the applicant's interim financial statements.

- iii) The applicant's discussion of material changes in results of operations should identify any significant elements of the applicant's income or loss from continuing operations which do not arise from, or are not necessarily representative of, the applicant's ongoing business.

- iv) Applicants are encouraged, but are not required, to discuss forward-looking information.

d) Lending activities.

- 1) Briefly describe the applicable Federal and State restrictions on the lending activities of the applicant, including applicable laws affecting mortgage loan interest rates. Also briefly describe the applicant's general policy concerning loan-to-value ratios; customary methods of obtaining loan originations, such as the use of loan consultants;

REQUEST FOR CORRECTION

approval of properties as security for loans; the use of a loan committee, if any; and policies as to requiring title insurance, fire insurance, and casualty insurance on security properties. Indicate the applicant's general future intentions with respect to activities in secondary mortgage markets, including transactions with the Federal Home Loan Mortgage Corporation or mortgage bankers. If significant, indicate loan service fee income as a percentage of net interest income for the years required by Section 1075.2440(b).

- 2) As to the lending area of the applicant, describe briefly:

- A) the lending area restrictions, if any, applicable to the applicant,
- B) the areas in which the applicant normally lends, and
- C) any material loan concentration areas of the applicant. The descriptions may include maps illustrating one or more of these areas. Furnish an estimate of the housing vacancy rates in areas where the applicant's loan concentrations are located, if practicable.

- 3) Describe briefly the general long-term nature of investment in mortgage loans and the consequent effect upon the earnings spread of savings institutions. State the normal maturity of loans made by the applicant on the security of single-family dwellings and furnish an estimate as to the average length of time the loans are outstanding.

- 4) For each of the periods required by Section 1075.2440(b), set forth in tabular form, excluding fees which are not considered adjustments of yield, the following:

- A) Average yield during the period, computed on no greater than a monthly basis, on:
- i) loan portfolio;
- ii) investment portfolio;

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

- iii) other interest-earning assets; and
- iv) all interest earning assets.
- B) Average rate paid during the period, computed on no greater than a monthly basis, on:
- i) deposits,
 - ii) borrowings and Federal Home Loan Bank advances,
 - iii) other interest-bearing liabilities, and
 - iv) all interest-bearing liabilities (subsection (d)(4)(A)(i), (ii), and (iii) above).
- C) Weighted-average yield at end of the latest required period, for the items in subsection (d)(4)(A) and (B) above.
- D) The net yield on average interest-earning assets (net interest earnings divided by average interest-earning assets with net interest earnings equaling the difference between the dollar amount of interest earned and paid). Average interest-earning assets should be determined on an interval no more frequent than monthly.
- E) For each of the periods required by Section 1075.2440(b), set forth in tabular form:
- i) the dollar amount of change in interest income and
 - ii) the dollar amount of change in interest expense. The changes should be segregated for each major category of interest-earning asset and interest-bearing liability (as stated in subsection (d)(4)(A) and (B) above) into amounts attributable to changes in volume change (change in volume multiplied by old rate), and changes in rates (change in rate

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

- multiplied by old volume), and changes in rate-volume (change in rate multiplied by the change in volume). The rate/volume variances should be allocated on a consistent basis between rate and volume variance and the basis of allocation disclosed in a note to the table.
- 5) For each of the periods required by Section 1075.2440(b), present the following:
- A) Return on assets (net income divided by average total assets).
 - B) Return on equity (net income divided by average equity).
 - C) Equity-to-assets ratio (average equity divided by average total assets).
 - D) Applicants should supply any additional ratios necessary to explain their operations.
- 6) Loans:
- A) As of the end of the latest fiscal year reported on, present separately the amounts of loans in the categories of real estate mortgages, real estate construction, installment, and commercial, financial and agricultural which are due:
 - i) In each of the three years following the balance sheet,
 - ii) after three through five years,
 - iii) after five through ten years,
 - iv) after ten through fifteen years, and
 - v) after fifteen years. In addition, present separately the total amount of all such loans due after one year which have predetermined interest rates and floating or adjustable interest rates.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

93

REQUEST FOR CORRECTION

- B) In completing subsection (d)(6)(A) above, the following shall apply:
- i) Scheduled principal repayments should be reported in that maturity category in which the payment is due.
 - ii) Demand loans, loans having no stated schedule of repayments and no stated maturity, and overdrafts should be reported as due in one year or less.
 - iii) Determinations of maturities should be based upon contract terms. However, such terms may vary due to the applicant's "rollover policy," in which case the maturity should be revised as appropriate and the rollover policy should be briefly discussed.

- 7) Describe briefly the risk elements within the loan and investment portfolios including the applicant's customary procedures regarding delinquent loans. As of the end of each of the periods covered by the statements of operation required by Section 1075.2440(b)(1) and as of the date of the latest statement of financial condition required by Section 1075.2440(a), set forth in tabular form the amounts and categories of non-accrual, past due, restructured, and potential problem loans (see Securities and Exchange Commission's Securities Act Industry Guide 3, Section III C) and the ratio of such loans to total assets. Where the amount of real estate that has been in substance foreclosed, acquired by foreclosure, or by deed in lieu thereof is significant, include a brief description of the major properties and a statement as to the applicant's probable losses, if any, upon disposition of such properties.

e) Savings activities.

- 1) State whether the maximum rate of interest which the applicant may pay is established by regulatory authorities. State that, in the event of liquidations of the applicant after conversion, savings account holders will be entitled to full

11890

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

93

REQUEST FOR CORRECTION

- payment of their accounts before payment to shareholders. Also indicate the percentage of total savings accounts which are from out-of-state sources, if such total is significant.
- 2) Set forth in tabular form the amounts of time deposit accounts by categories of interest rates as of the dates of each balance sheet filed. Each interest-rate category should not be more than 200 basis points. As of the date of the latest balance sheet, set forth in tabular form for each interest-rate category, the amounts of savings maturing during each of the three years following the balance sheet date and the total maturing thereafter.
 - 3) Disclose the weighted-average rate and general terms (as well as formal provisions for the extension of the maturity) of each category of short-term borrowings, along with the maximum amount of borrowings in each category outstanding at any month-end during each period for which an end-of-period balance sheet is required. In addition disclose the approximate average short-term borrowings outstanding during the period and the approximate weighted-average interest rate (and a brief description of the means used to compute such average) for such aggregate short-term borrowings. The disclosure required by this subsection need not be furnished as regards borrowings in each particular category when the aggregate amount of such borrowings at the balance sheet date does not exceed one percent of assets at that date. Notwithstanding this reporting threshold, if the weighted average of such borrowings at year-end, the disclosure called for by this subsection should be furnished. This information is not required to be given for any category of short-term borrowings for which the average balance outstanding during the period was less than 30 percent of stockholders equity at the end of the period.

- f) Federal regulation. Describe briefly, to the extent not otherwise covered by other items, federal regulation of the applicant and the conduct of its operations. In particular, describe briefly the insurance of accounts and the general regulatory authority of the Federal Deposit Insurance Corporation, and federal regulatory

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

capital requirements, the results of failure to meet those requirements, and the applicant's regulatory capital position in relation to those requirements. Also, describe the assessment authority and requirements of the Federal Deposit Insurance Corporation, the Financing Corporation, and the Resolution Funding Corporation.

g) Federal Home Loan Bank System. If a member, describe briefly the Federal Home Loan Bank System and state that the applicant is a member. Such description shall include:

- 1) Limitations on borrowings,
- 2) Recent loan policies of the applicant's Federal Home Loan Bank and current interest rates, and
- 3) Federal Home Loan Bank stock purchase requirements and the applicant's position with respect to those requirements.

h) State regulation. Describe briefly, to the extent not otherwise covered by other items, State regulations of the applicant and the conduct of its operations. In particular, describe briefly the general regulatory authority of the Commissioner, and State regulatory capital requirements, the results of failure to meet those requirements, and the applicant's regulatory capital position in relation to those requirements (Section 5001 of The Act and Section 1075.410). Also describe the supervisory fee assessment authority and requirements of the Commissioner.

i) Federal and state taxation. Describe briefly the federal income tax laws applicable to the applicant including:

- 1) Permissible bad debt reserves;
- 2) The applicant's position with respect to the maximum bad debt reserve limitations as of the date of the latest statement of financial condition required under Section 1075.2440(a);
- 3) Future increases in the effective income tax rate;
- 4) The date through which the applicant's Federal

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

REQUEST FOR CORRECTION

income tax returns have been audited by the Internal Revenue Service, and

- 5) The tax effect to the applicant of the payment of cash dividends on capital stock of the applicant after conversion. Also describe briefly the State taxation of the applicant.

j) Competition. Describe the material sources of competition for savings banks generally and indicate to the extent practicable the applicant's position in its principal lending and deposit markets. In answering subsection, give to the extent known the applicant's deposit and mortgage product market shares by county in its geographic market. Also indicate its rank and any material changes or trends in its competitive standing.

k) Office and other material properties.

- 1) Furnish the location of the applicant's home office and each existing and approved branch office and other office facilities (such as mobile or satellite offices). State the total net book value of all such offices as of the date of the latest statement of financial condition required by Section 1075.2440(a). If any such office is leased, state the expiration dates of such leases.

- 2) Describe briefly undeveloped land owned by the applicant, including location, net book value, and prospective use and holding period. If the applicant or a subsidiary owns or leases electronic data processing equipment principally for its own use, describe briefly such equipment indicating net book value if owned or the principal lease terms if leased.

- 1) Employees. State the number of persons employed full time by the applicant including executive officers listed under Section 1075.2350. State whether employees are represented by a collective bargaining group and whether the applicant's relations with its employees is satisfactory. Summarize briefly any loans, profit sharing, retirement, medical, hospitalization or other remuneration plans provided for employees not already included pursuant to Section 1075.2360.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE
REQUEST FOR CORRECTION

- m) Service corporations. Describe briefly the applicant's investment in any subsidiary and the major lines of business (including any joint ventures) of the subsidiary which are material to its operations.
- n) Legal proceedings. Furnish the information regarding legal proceedings required to be disclosed in a registration statement filed under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq. as amended to July 1, 1991, no subsequent dates or editions). In particular, see Item 103 of the "General Rules Regarding Disclosures: Regulations S-K - Standard Instructions for Filing Forms under Securities Act of 1933 and the Securities Exchange Act of 1934" (17 CFR 229.103), November, 1992, no subsequent dates or editions, U.S. Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, DC 20549. Unless the context otherwise requires, the word "registrant" in that regulation shall refer to the applicant.
- o) Additional information. The Commissioner may upon the request of applicant, and where consistent with the protection of account holders and others, permit the omission of any of the information required by this Section or the furnishing in substitution therefor of appropriate information of comparable character. The Commissioner may also require the furnishing of other information in addition to, or in substitution for, the information required by this Section in any case where such information is necessary or appropriate for an adequate description of the applicant's business done or intended to be done.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2390 Proxy Statement -- Description of Capital Stock

- a) Furnish the information regarding capital stock of the applicant required to be disclosed in a registration statement filed under the Securities Exchange Act of 1934. In particular, see Item 202 of the "General Rules Regarding Disclosures: Regulations S-K - Standard Instructions for Filing Forms under Securities Act of 1933 and the Securities Exchange Act of 1934" (17 CFR 229.202, November, 1992, no subsequent dates or editions). Unless the context otherwise requires the term "registrant" in the regulation shall refer to the

93
COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE
REQUEST FOR CORRECTION

- applicant.
- b) An undertaking should be included in the proxy statement that the applicant where practical will use its best efforts to encourage and assist a professional market maker in establishing and maintaining a market for the capital stock of the applicant.
- c) Trading market:
- 1) Outline briefly the trading market that is expected to exist for the capital stock following the conversion including the estimate number of market makers and stockholders, and the anticipated success of the applicant in listing the stock.
 - 2) Any discussion of the listing of the applicant's stock should include the basic requirements that must be met for such listing.
 - d) If the rights evidenced by the capital stock will be materially limited or qualified by the rights of savings account holders or borrowers, include the information regarding the limitations or qualifications necessary to enable investors to understand the rights evidenced by the capital stock.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

DEPARTMENT OF STATE POLICE MERIT BOARD

DEPARTMENT OF STATE POLICE MERIT BOARD

REQUEST FOR EXPEDITED CORRECTION

REQUEST FOR EXPEDITED CORRECTION

1) Heading of the Part: Procedures of the Department of State Police Merit Board

2) Code Citation: 80 Ill. Adm. Code 150

3) Publication of Rulemaking Requiring Correction: Proposed November 30, 1992 (16 Ill. Reg. 17959); adopted at 17 Ill. Reg. 9716, effective June 10, 1993.

4) Section Numbers:

150.210

150.220

Appendix A

Appendix B

5) Reason(s) for Expedited Correction:

Nonsubstantive errors.

An unintentional discrepancy between adopted rule text and text previously published in the Illinois Register or second notice rule text.

X Discrepancies between adopted rule text and agreements certified by JCAR during the second notice period.

6) Rationale for Expedited Correction:

Adopted text inadvertently omits agreements certified by JCAR.

7) Effective Date requested by Agency: June 10, 1993

8) Name of the Person who will Respond to Joint Committee Questions Regarding the Expedited Correction:

Name: James E. Seiber, Executive Director
Address: 3180 Adloff Lane
Suite 100
Springfield IL 62703
Telephone: 217/786-6240

7) Correct Text of Affected Section(s):

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE A: MERIT EMPLOYMENT SYSTEMS
CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD

PART 150

PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

SUBPART A: DEFINITIONS

Section
150.10

Definitions

SUBPART B: CERTIFICATION FOR APPOINTMENT

Section
150.210
150.220
150.230
150.240

Qualifications
Selection Procedures
Recertification
Probationary Period

SUBPART C: CLASSIFICATION OF RANKS

Section
150.310
150.320

Ranks
Interdivisional Transfers

SUBPART D: CERTIFICATION FOR PROMOTION

Section
150.410
150.420
150.430
150.440

Board Responsibilities
Eligibility
Procedures
Promotion Probationary Period (Repealed)

SUBPART E: DISCIPLINARY ACTION

Section
150.510
150.520
150.530
150.540
150.550
150.560
150.565
150.570
150.575
150.580
150.585
150.590

Merit Board Jurisdiction
Discipline Afforded the Deputy Director
Notification to Suspended Officer
Petition for Review
Form and Content of Petition for Review
Filing Procedures
Procedure for Processing Petition for Review
Director's Review
Discipline Afforded the Director
Complaint Procedures
Scheduling the Hearing
Notification to Officer

DEPARTMENT OF STATE POLICE MERIT BOARD

REQUEST FOR EXPEDITED CORRECTION

SUBPART F: HEARINGS

Section	
150.610	Board Docket
150.620	Hearing Officer
150.630	Pre-hearing Conferences
150.640	Motions
150.650	Subpoenas
150.655	Request for Witnesses or Documents
150.660	Evidence Depositions
150.665	Hearing Procedures
150.670	Continuances and Extensions of Time
150.675	Computation of Time
150.680	Decisions of the Board
150.685	Service and Form of Papers

APPENDIX A Vision Standards

APPENDIX AB Physical Fitness Standards Renumbered

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 of the State Police Act (Ill. Rev. Stat. 1991, ch. 121, pars. 307.3 through 307.14) [20 ILCS 2610/3 through 14].

SOURCE: Emergency rule adopted at 2 Ill. Reg. 10, p. 206, effective February 24, 1978, for a maximum of 150 days; emergency amendment at 2 Ill. Reg. 32, p. 37, effective July 27, 1978, for a maximum of 150 days; emergency amendments at 2 Ill. Reg. 51, p. 100, effective December 7, 1978, for a maximum of 150 days; adopted at 2 Ill. Reg. 52, p. 422, effective December 25, 1978; amended at 3 Ill. Reg. 47, p. 86, effective November 12, 1979; emergency amendments at 4 Ill. Reg. 6, p. 284, effective February 1, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 2739, effective March 2, 1981; amended at 6 Ill. Reg. 10954, effective August 31, 1982; codified at 7 Ill. Reg. 9900; amended at 7 Ill. Reg. 15018, effective November 2, 1983; emergency amendments at 8 Ill. Reg. 379, effective December 27, 1983, for a maximum of 150 days; emergency amendments at 8 Ill. Reg. 3038, effective February 23, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7894, effective May 23, 1984; amended at 9 Ill. Reg. 3721, effective March 13, 1985; amended at 9 Ill. Reg. 14328, effective September 6, 1985; recodified from the Department of Law Enforcement Merit Board to the Department of State Police Merit Board pursuant to Executive Order 85-3, effective July 1, 1985, at 10 Ill. Reg. 3283; amended at 10 Ill. Reg. 17752, effective October 1, 1986; amended at 11 Ill. Reg. 7760, effective April 14, 1987; amended at 11 Ill. Reg. 18303, effective October 26, 1987; amended at 12 Ill. Reg. 1118, effective December 24, 1987; amended at 12 Ill. Reg. 10736, effective June 13, 1988; amended at 13 Ill. Reg. 5201, effective April 3, 1989; emergency amendment at 13 Ill. Reg. 16607, effective September 29, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19592, effective December 1, 1989; amended at 14 Ill. Reg. 3679, effective February 23, 1990; amended at 15 Ill. Reg. 11007, effective July 15, 1991; amended at 16 Ill. Reg. 11835, effective July 13, 1992; emergency amendment at 16 Ill. Reg. 17372,

DEPARTMENT OF STATE POLICE MERIT BOARD

REQUEST FOR EXPEDITED CORRECTION

effective October 29, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. , effective June 10, 1993; expedited correction at 17 Ill. Reg. , effective June 10, 1993.

SUBPART B: CERTIFICATION FOR APPOINTMENT

Section 150.210 Qualifications

- a) The Board shall certify to the Director in writing qualified applicants for appointment as sworn officers to the Department. Qualified applicants shall:
- 1) Be at least twenty-one years of age. Persons twenty years of age may be certified if they have successfully completed 2 years (60 semester hours, 90 quarter hours) of law enforcement studies at an accredited college or university.
 - 2) Education Requirements
 - A) Have completed, with an average grade of C or better, 60 semester hours, 90 quarter hours or any combination of semester/quarter hours totaling 2 years of education from an accredited college or university.
 - B) Assignment as a Special Agent requires that an applicant possess a bachelor's degree in any field from an accredited institution of higher learning or have completed, with an average grade of C or better, 60 semester hours, 90 quarter hours or any combination of semester/quarter hours totaling 2 years of education from an accredited college or university plus three years of law enforcement experience as a sworn member of a Federal, State, County, Municipal or campus law enforcement unit.

- 3) Be a citizen of the United States with no felony convictions.
- 4) Accept assignment anywhere in the State.
- 5) Possess a valid driver's license at time of application.
- 6) Successfully complete mental and physical and medical tests and a background investigation as prescribed by the Board. (See Section 150. Appendix A and B of this part Part.)

- b) The Board may certify more applicants than there are vacant positions at the time of certification. Such certified applicants shall be eligible for appointment for a period of time designated by the Board.

(Source: Expedited correction at 17 Ill. Reg. _____, effective June 10, 1993)

Section 150.220 Selection Procedures

- a) Procedures shall consist of:

- 1) Application
- 2) Written Entrance Examination
- 3) Physical Ability Test
- 4) Oral Interview

DEPARTMENT OF STATE POLICE MERIT BOARD

REQUEST FOR EXPEDITED CORRECTION

- 5) Background Investigation
- 6) Psychological Screening
- 7) Medical Examination
- b) Preference shall be given to all persons who have honorably served in the Military or Naval Services of the United States.

(Source: Expedited correction at 17 Ill. Reg. _____, effective June 10, 1993)

DEPARTMENT OF STATE POLICE MERIT BOARD

REQUEST FOR EXPEDITED CORRECTION

Section 150, Appendix A Vision Standards

Type of Test	Standards	Testing Methods
1. Visual Acuity	At or corrected to 20/20 binocular with worst eye no less than 20/40	Sloan diget at both near and far point on binocular vision screener.
2. Visual Acuity Uncorrected	20/40 binocular with worst eye no less than 20/200.	Sloan diget at both near and far point on binocular vision screener.
3. Night Vision	At or corrected to 20/20 binocular with night setting lighting. Clear, comfortable binocular vision with good stereopsis at all normal working distances and viewing angles with correction. Measured at 80 sec of Arc by reading line #4 on the Shepard Fry Scale or dot #6 on the Titmus Stereo Test.	Sloan diget at far point on binocular vision screener. Phoria at both near and far point. Fusion at both near and far point.
4. Binocular Vision		
5. Stereo Acuity		Shepard-Fry scale at near point. If failed then Titmus Stereo Test at near point.
6. Color Vision	Normal or anomalous tri-chromacy or basic color naming skills.	Passing the (red/green) and (blue/violet) test. If failed, go to Ishihara 16 plates test, identifying correctly numbers 1-4. If failed, go to number 8, normal will not be able to read, red-green color blind will read number 45.
7. Visual Fields	At least 70° in the horizontal meridian in each eye.	By testing both left and right eye at 85°, 70°, and nasal 45°.

(Source: Expedited correction at 17 Ill. Reg. _____, effective June 10, 1993)

DEPARTMENT OF STATE POLICE MERIT BOARD

REQUEST FOR EXPEDITED CORRECTION

Section 150. APPENDIX A-B Physical Fitness Standards

FIVE-ITEM PHYSICAL FITNESS TEST

FOR DEPARTMENT OF STATE POLICE OFFICER APPLICANTS

Practical exercise performance requirements are physical activities related to law enforcement tasks. The following practical exercise performance requirements have been identified and must be satisfactorily performed for successful completion of the Merit Board's Physical Ability Test requirement.

1. THRESHOLD WEIGHT

This is the weight that has been determined as the weight necessary to 1) perform police tasks without undo effort, and 2) to minimize health problems due to overfatness. The score is pounds per height in inches.

PERCENT BODY FAT

For those individuals not meeting the threshold weight a body fat test will be administered. This is the percentage of body fat that has been determined as the level of overfatness that poses a health risk. The score is in a fat percentage.

2. SIT AND REACH TEST

This is a measure of the flexibility of the lower back and upper leg area. It is an important area for performing police tasks involving range or motion and is important in minimizing lower back problems. The score is in the inches reached on a yard stick.

3. ONE MINUTE SIT UP TEST

This is a measure of the muscular endurance of the abdominal muscles. It is an important area for performing police tasks that may involve the use of force and is an important area for maintaining good posture and minimizing lower back problems. The score is in the number of sit ups completed in one minute.

4. ONE REPETITION MAXIMUM BENCH PRESS

This is a maximum weight pushed from the bench press position and measures the amount of force your upper body can generate. It is an important area for performing police tasks requiring upper body strength. The score is a ratio of weight pushed divided by body weight. The test will be conducted on a Universal DVR-Chest Press.

5. 1.5 MILE RUN

This is a timed run to measure the heart and vascular systems' capability to transport oxygen. It is an important area for performing police tasks involving stamina and endurance and to minimize the risk of cardiovascular problems. The score is in minutes and seconds.

THRESHOLD WEIGHT

HT/IN	THRESHOLD WEIGHT	HT/IN	THRESHOLD WEIGHT
52	75	63	134
		74	217

DEPARTMENT OF STATE POLICE MERIT BOARD

REQUEST FOR EXPEDITED CORRECTION

53	80	64	141	75	226
54	85	65	147	76	235
55	89	66	154	77	245
56	94	67	161	78	255
57	99	68	168	79	265
58	105	69	176	80	275
59	110	70	184	81	285
60	116	71	192	82	297
61	121	72	200	83	307
62	128	73	209	84	318

ILLINOIS DEPARTMENT OF STATE POLICE MERIT BOARD
PHYSICAL FITNESS STANDARDS

TEST	MALE AGE	FEMALE AGE
Percent Body Fat	20-29 30-36	20-29 30-36
Sit & Reach	17.4% 20.5%	23.7% 24.9%
Minute Sit-up	16.5 in. 15.5 in.	19.3 in. 18.3 in.
Maximum Bench Press Ratio	38 35	32 25
(% of total weight)	.99 .88	.59 .53
1.5 Mile Run	12:51 13:36	15:26 15:57

(Source: Expedited correction at 17 Ill. Reg. _____, effective June 10, 1993)

DEPARTMENT OF CORRECTIONS

NOTICE OF EXPEDITED CORRECTION

- 1) Heading of the Part: RIGHTS AND PRIVILEGES
- 2) Code Citation: 20 Ill. Adm. Code 525
- 3) Publication of Rulemaking Requiring Correction: February 5, 1993, 17 Ill. Reg. 1666
- 4) Section Numbers: Peremptory Action
525.140 Amendment
- 5) Reason(s) for Expedited Correction:
 - X Nonsubstantive errors.
 - An unintentional discrepancy between adopted rule text and text previously published in the Illinois Register or second notice rule text.
 - Discrepancies between adopted rule text and and agreements certified by the Joint Committee during the second notice period.
- 6) Rationale for Expedited Correction:

Clarifications to the first sentence of Section 525.140(k) were unintentionally omitted from the original rulemaking. While the prohibition on receipt of catalogs was deleted, the clarifying language to allow receipt of catalogs was not added. Public notice is not being unduly circumvented as the original amendment was adopted by peremptory rulemaking. The language being corrected is required as a result of a Court Order entered on Isaac Green v Peters, #71 C 1403, N. D. Ill, 1992. A copy of this Court Order was previously submitted to Joint Committee for its staff review of the peremptory action. Opposing counsel detected the error and requested the correction. Upon approval of the Joint Committee, the corrected language will be distributed to all persons who normally receive Department Rules.
- 7) Effective Date of Correction: January 22, 1993
- 8) Information and questions regarding this Notice of Expedited Correction shall be directed to

Name: David C. Watkins, Deputy Director
Address: 1301 Concordia Court
P. O. Box 19277 Illinois 62794-9277
Telephone: 217/522-2666
- 9) Correct Text of Affected Section(s):

DEPARTMENT OF CORRECTIONS

NOTICE OF EXPEDITED CORRECTION

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER I: DEPARTMENT OF CORRECTIONS
SUBCHAPTER e: OPERATIONS

PART 525
RIGHTS AND PRIVILEGES

SUBPART A: VISITATION

Section	
525.10	Applicability
525.12	Definitions
525.15	Responsibilities
525.20	Visiting Privileges
525.30	Clergy Visitation
525.40	Attorney Visitation - Adult and Community Services Divisions
525.50	Attorney Visitation - Juvenile Division (Court Agreement)
525.60	Restriction of Visitors

SUBPART B: MAIL AND TELEPHONE CALLS

Section	
525.100	Applicability
525.110	Definitions
525.115	Responsibilities
525.120	Processing of Mail
525.130	Outgoing Mail
525.140	Incoming Mail
525.150	Telephone Privileges

SUBPART C: PUBLICATIONS

Section	
525.200	Applicability
525.202	Definitions
525.205	Responsibilities
525.210	General Guidelines
525.220	Publications Review Committee
525.230	Appeal Process for Non-approved Publications

SUBPART D: MARRIAGE OF COMMITTED PERSONS

Section	
525.300	Applicability
525.302	Definitions
525.305	Responsibilities
525.310	Request for Permission to Marry

NOTICE OF EXPEDITED CORRECTION

AUTHORITY: Implementing Sections 3-2-2, 3-7-1, 3-7-2, 3-7-4, 3-8-7, and 3-10-8 of the Unified Code of Corrections (730 ILCS 5/3-2-2, 3-7-1, 3-7-2, 3-7-4, 3-8-7, and 3-10-8 (1992)), formerly Ill. Rev. Stat. 1991, ch. 38, pars. 1003-2-2, 1003-7-1, 1003-7-2, 1003-7-4, 1003-8-7, and 1003-10-8) and Section 1-3 of the Juvenile Court Act of 1987 (705 ILCS 405/1-3 (1992)), formerly Ill. Rev. Stat. 1991, ch. 37, par. 801-3) and authorized by Sections 3-2-2, 3-7-1, and 3-7-4 of the Unified Code of Corrections (730 ILCS 5/3-2-2, 3-7-1, and 3-7-4 (1992)), formerly Ill. Rev. Stat. 1991, ch. 38, pars. 1003-2-2, 1003-7-1, and 1003-7-4). Subparts A and C are also implementing Consent Decrees (Tillman vs. Rowe, #77 C 1008, N.D. Ill., 1977 and Green vs. Sietlaff, #71 C 1403, N.D. Ill., 1973 and amended 1976).

SOURCE: Adopted at 8 Ill. Reg. 14598, effective August 1, 1984; amended at 9 Ill. Reg. 10728, effective August 1, 1985; amended at 11 Ill. Reg. 16134, effective November 1, 1987; amended at 12 Ill. Reg. 9664, effective July 1, 1988; amended at 14 Ill. Reg. 5114, effective April 1, 1990; amended at 14 Ill. Reg. 19875, effective December 1, 1990; emergency amendment at 16 Ill. Reg. 3583, effective February 20, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10439, effective July 1, 1992; peremptory amendment at 17 Ill. Reg. 1666, effective January 22, 1993; expedited correction at 17 Ill. Reg. 11903, effective January 22, 1993; peremptory amendment at 17 Ill. Reg. 8069, effective May 27, 1993.

Section 525.140 Incoming Mail

- a) Incoming privileged mail must be clearly marked as "privileged" and be clearly marked with the name, title and address of the sender.
- b) Incoming privileged mail may be opened in the presence of the committed person to whom it is addressed to inspect for contraband, to verify the identity of the sender, and to determine that nothing other than legal or official matter is enclosed.
- c) Incoming privileged mail may contain communications only from the privileged correspondent whose name and address appear on the envelope. If non-privileged material or correspondence from a third party is found to be enclosed, such material shall be treated as non-privileged mail.
- d) All incoming non-privileged mail, including mail from clerks of courts, shall be opened and inspected for contraband.
- e) Cashier's checks, money orders and business checks subject to the restrictions imposed by 20 Ill. Adm. Code 205 shall be deposited in the committed person's trust fund account, with a record made of the sender's name, the amount received, and the date. For purposes of this Section a business check shall mean a check written on any agency or firm's account and any check written on

NOTICE OF EXPEDITED CORRECTION

an employer's personal account for wages due a person assigned to the Community Services Division. The committed person shall be notified of all monies received and deposited in his trust fund account. However, any checks or money orders which exceed the limitation on the amounts (20 Ill. Adm. Code 205) shall be returned to the sender, and the committed person shall be notified.

- f) Personal checks and cash shall be returned to the sender, and the sender shall be notified that funds cannot be received in that form.

- g) Correctional officials may spot check and read incoming non-privileged mail. Incoming mail or portions thereof may be inspected, reproduced, or withheld from delivery for any of the reasons listed in Section 525.130(h) of this Subpart or if determined to be obscene by the Publications Review Committee in accordance with Subpart C of this Part.

- h) When a committed person is prohibited from receiving a letter or portions thereof, the committed person and the sender shall be notified in writing of the decision.

- i) If a committed person has been transferred or released, first class mail shall be forwarded to him if his address is known. If no forwarding address is available, the mail shall be returned to the sender.

- j) If a committed person has been absent from the facility on a furlough or pursuant to writ, his mail shall be held at the facility for a period of one month, unless the committed person has made a written request to the Chief Administrative Officer to have his mail forwarded to another address. At the conclusion of the month, first class mail shall be forwarded to the committed person's address, if known, or returned to the sender, unless alternative arrangements have been made.

- k) Committed persons may receive publications including books, and periodicals and catalogs in accordance with Subpart C of this Part, and may receive manual typewriters ordered directly from a supplier through the commissary. Other packages may be received only as approved by the Chief Administrative Officer. The contents of all packages other than packages sent from pre-approved vendors, including packages containing books and periodicals, must be clearly listed on the outside of the package. Packages which do not contain a description of the contents shall be returned to the sender. All packages shall be opened and searched prior to delivery.

DEPARTMENT OF CORRECTIONS

NOTICE OF EXPEDITED CORRECTION

(Source: Expedited correction at 17 Ill. Reg. 11903, effective January 22, 1993)

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish this information in the Illinois Register:

Name of Act: Illinois Department of Revenue Sunshine Act
Citation: Ill. Rev. Stat. 1991, ch. 127, par. 2001 (20 ILCS 2515/1)

2. Summary of information:

Index of Department of Revenue Sales and Excise Tax letter rulings issued for the First Quarter of 1993.

The ruling letters are listed numerically with a brief synopsis under the following subjects:

Agents	Itinerant Vendors
Agricultural Producers and Products	Leasing
Assessments	Liquor Tax
Automobile Renting Tax	Local Taxes
Bingo	Mandatory Service Charges
Books and Records	Manufacturers
Bulk Sales	Manufacturing Machinery and Equipment
C.O.A.D.	Medical Appliances
Certificate of Registration	Miscellaneous
Cigarette Tax	Motor Fuel Tax
Claims for Credit	Motor Vehicles
Coal Fueled Devices	Nexus
Coal Mining Equipment	Nonprofit Institutions
Coins & Precious Metals	Occasional Sale
Computer Software	Oil Field Equipment
Construction Contractors	Penalties
Cooperative Associations	Pollution Control Facilities
Delivery Charges	Prepaid Sales Tax
Distillation Machinery	Products of Photoprocessing
Drugs	Property Tax
Enterprise Zones	Public Utility Taxes
Exempt Organizations	Real Estate Transfer Tax
Farm Machinery & Equipment	Repairs
Federal Excise Tax	Replacement Vehicle Tax
Financial Institutions	Returns
Food	Rolling Stock Exemption
Governmental Bodies	Sale at Retail
Graphic Arts	Sale for Resale
Gross Receipts	Sale of Service
Hotel Operators' Tax	
Interest	
Interstate Commerce	

DEPARTMENT OF REVENUE

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

NOTICE OF PUBLIC INFORMATION

Sellers of Newspapers,
Magazines, Etc.
Signature
Special Order
Statute of Limitations
Tax Collection
Tax Increment Financing
Tax Rate
Telecommunications Excise Tax
Temporary Storage
Trade-Ins
Use Tax
Vehicle Use Tax
Vendors

1993 FIRST QUARTER SUNSHINE INDEX

AUTOMOBILE RENTING TAX

93-0078 03/02/1993 The Automobile Renting Occupation Tax does apply to transactions where a dealer provides a customer with a courtesy car or a loaner car at no charge to the customer. The tax is based upon the rental price paid to the rentor. If nothing is paid to the dealer, then no tax is due.

BINGO

93-0051
\$1.00

02/17/1993 Bingo games conducted by a sponsor in which free cards are given to participants, are not subject to the terms of the Bingo License and Tax Act. Consequently, such sponsor need not apply for a license from the Department.

3. Name and address of person to contact concerning this information:

Margaret Forth
Legal Division
101 West Jefferson Street
Springfield, Illinois 62794
Telephone: (217) 782-6996

CERTIFICATE OF REGISTRATION

93-0022 01/26/1993 When a person engages in selling tangible personal property at retail in this State -- even only on one occasion such as a trade show -- he must first register with the Department.

CLAIMS FOR CREDIT

93-0101 03/22/1993 A retailer may use deductions (i.e., returned merchandise) to bring his current month's liability to zero, but cannot carry over any remaining deductions to the next month. He must file a claim for credit on these deductions (overpayments).

COIN-OPERATED AMUSEMENT DEVICE TAX ACT

93-0015 01/19/1993 Redemption machines are subject to licensure in Illinois by the Department of Revenue.

COMPUTER SOFTWARE

93-0003 01/06/1993 If the original software transferred by a company are the subject of a valid licensing agreement as described in Section 130.1935(a), the software and updates transferred under that same license will not be subject to Illinois Retailers' Occupation Tax.

- 93-0016
\$1.75 01/19/1993 A service provided by a computer information firm in which access is provided to a database, is not subject to Retailers' Occupation tax. If any tangible personal property is transferred incident to this agreement, it is subject to Retailers' Occupation Tax. If the provider also bills for transmission costs, as well as the database access fee, only these costs (and not the database access costs) are subject to the Telecommunications Excise Tax if they are separately identified and disaggregated.
- 93-0019
\$1.00 01/25/1993 Under 86 Ill. Admin. Code 130.1935, if the original software and software updates transferred by a company are the subject of a valid licensing agreement as described in Section 130.1935(a), the software and updates transferred under that same license will not be subject to Illinois Retailers' Occupation Tax.
- 93-0038
\$1.50 02/08/1993 Custom software, which results from real and substantial changes to the operational coding of canned or prewritten software in order to meet the specific individualized needs of the purchaser for his own particular use, is not subject to Retailers' Occupation Tax.
- 93-0041
\$1.25 02/09/1993 If a license of software fails to meet the criteria contained in Section 130.1935(a)(1)(A-E), receipts from transfers of software under its provisions are taxable.
- 93-0043
\$1.50 02/16/1993 The taxability of computer software, including maintenance agreements, is the subject of 86 Ill. Admin. Code 130.1935.
- 93-0044
\$1.25 02/16/1993 Maintenance agreements which provide for updates of canned software and do not break out and tax the cost of such updates, are fully taxable as sales of canned software.
- 93-0046
\$1.25 02/17/1993 The development of a database from customer records, and the conversion of that database to software that can be utilized by the customer (the database is transferred into canned software which is modified by the vendor to each customer's needs), constitutes a sale of software. Whether this sale is taxable depends upon whether the canned software used by the vendor to contain the customer database has been modified to the extent necessary (see Section 130.1935(c)) to be considered custom software.

- 93-0102
\$1.25 03/22/1993 In order for a software license agreement to be exempt from tax, it must meet all the criteria enumerated in Section 130.1935(a)(1)(A-E).
- CONSTRUCTION CONTRACTORS
- 93-0008
\$1.25 01/07/1993 If a Wisconsin builder's contract with an Illinois buyer specifies that he will permanently affix the modular home to real estate in Illinois, he is a contractor, not a retailer. The builder owes Use Tax on the cost price of the tangible personal property he permanently affixes to real estate.
- 93-0112
\$1.00 03/26/1993 In Illinois, construction contractors are considered to be the end users of the tangible personal property which they take off the market and permanently incorporate into real estate. As such, they owe Use Tax on the cost price of the building materials which they will permanently affix to real estate.
- ENTERPRISE ZONE
- 93-0018
\$1.25 01/21/1993 In order to obtain the enterprise zone building materials exemption, the purchaser of qualifying building materials must purchase those materials from a retailer located in the jurisdiction that created the enterprise zone into which the materials will be incorporated.
- EXEMPT ORGANIZATIONS
- 93-0021
\$1.00 01/26/1993 Construction contractors purchasing building materials for incorporation into realty owned by units of government can purchase those materials tax-free so long as all requirements of 86 Ill. Admin. Code Section 130.2075(d) are satisfied.
- FARM MACHINERY AND EQUIPMENT
- 93-0093
\$1.00 03/16/1993 Building materials do not qualify for the farm machinery and equipment exemption.

FARM MACHINERY AND EQUIPMENT EXEMPTION

93-0057 02/18/1993 The Farm Machinery and Equipment Exemption must be documented by a purchaser certification containing the seller's and buyer's names and addresses, and a statement that the property purchased will be used primarily in production agriculture or State or Federal agricultural programs.

FOOD

93-0064 02/22/1993 Coffee and tea sold in an unprepared state are subject to the low rate of tax. However, food or beverages which are sold for immediate consumption will be subject to the high rate of tax.

93-0095 03/16/1993 If a business is a market, bakery or other establishment that sells food primarily in quantities greater than individual sized servings (more than 50%), then the low rate of tax applies to all its sales unless it has facilities for consumption on the premises. If this is the case, then all its sales are taxable at the high rate unless those facilities utilize a separate means of recording and accounting for collection of receipts from such sales for consumption on the premises and the facilities are physically partitioned from areas in which food not for immediate consumption is sold. If it meets these two tests, then only the food for immediate consumption, including the food sold for consumption on the premises, is taxable at the high rate.

93-0124 01/19/1993 A nutritional center's sale of vitamins and powdered drink mixes is subject to the low rate of tax.

FOOD AND DRUGS

93-0048 02/17/1993 Section 130.310 defines "food," "drugs and medicines" and "medical appliances." The Department does not distribute a list of all products that are high or low rate.

GAS REVENUE TAX

93-0039 02/09/1993 The Gas Revenue Tax is imposed upon persons engaged in the business of distributing, supplying, furnishing or selling gas to persons for use or consumption and not for resale.

GRAPHIC ARTS

93-0119 03/31/1993 Section 130.325(c)(4)(G) disallows the exemption for computers which are used to generate images which will later be reproduced by a graphic arts process.

GRAPHIC ARTS EQUIPMENT

93-0009 01/08/1993 No piece of graphics arts machinery, in and of itself, qualifies for the exemption. Rather, this determination is based upon how the equipment is used in the graphics arts production process.

GRAPHIC ARTS EXEMPTION

93-0080 03/03/1993 Repair and replacement parts installed on exempt graphic arts equipment will also qualify for the graphic arts machinery and equipment exemption. A purchaser wishing to claim the exemption, must give the supplier a certification stating that the machinery, equipment or replacement parts will be used primarily in graphic arts production.

GRAPHIC ARTS MACHINERY AND EQUIPMENT EXEMPTION

93-0120 03/31/1993 A high technology printer which makes copies and then can also bind, collate and finish the copies, does not qualify for the graphic arts machinery and equipment exemption. Although Major Group 27 includes printing trade services, it is limited to bookbinding, including edition, trade, job and library bookbinding. The binding of materials copied from a copier is not included among Major Group 27. Section 130.325(c)(2) limits the exemption to machines which bind, collate or finish graphic arts products, and copies are not graphic arts products.

GROSS RECEIPTS

93-0002 01/06/1993 Where a federal excise tax is imposed upon the

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

- \$1.00 consumer or is collected on behalf of the federal government at the retail level, the amount of the federal excise tax assessed may be excluded from gross receipts subject to Retailers' Occupation Tax.
- 93-0006 01/06/1993 Change from accrual to cash basis of reporting
\$1.25 authorized.
- 93-0087 03/10/1993 To the extent that shipping and handling charges constitute a portion of the sale price, they are includable in gross receipts and are subject to tax. Shipping charges may be excluded from gross receipts only if there is evidence that it was the intent of both the seller and the purchaser that a separate agreement be made for shipping. See, 86 Ill. Adm. Code 130.415.
- 93-0104 03/23/1993 Handling fees are a cost of doing business and are includable in gross receipts. See Section 130.410.
- 93-0105 03/23/1993 All charges made by a traditional caterer (prepares and delivers food for a given price) which are part of his cost of providing meals are subject to tax. However, if a caterer provides other services (or procures them) which are not related to the provision of food, such as entertainment, audio-visual rental, valet parking, and coat check services, these charges are not includable in gross receipts if they are separately itemized on the bill and are initialled by the customer.
- 93-0109 03/25/1993 Use Tax must be shown to customers as a separate item.
\$1.00 If it is not, no deduction for Use Tax collected is authorized.
- INTERSTATE COMMERCE
- 93-0076 03/02/1993 If goods are delivered to a point outside the state and the purchaser takes possession of the goods at a point outside the state of Illinois not to be returned to a point within the state, then Retailers' Occupation Tax is not incurred on the sale. The documentation required to prove receipt of property outside this state is set out at Illinois Administrative Code Sec. 130.605(e).

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

- LEASING
- 93-0012 01/15/1993 Under the principles set out in Philco Corp. v
\$1.25 Department of Revenue, 40 Ill.2d 308, a lessor is liable for Illinois Use Tax on the cost price of any property used by the lessor in this state for rental purposes. This is true notwithstanding the fact that the property was purchased outside Illinois and the lease agreements were entered into outside Illinois.
- 93-0067 02/23/1993 In Illinois, lessors of tangible personal property are considered to be the end users of the property purchased for rental purposes.
\$1.50
- 93-0068 02/23/1993 A true lease generally has no buy out provision at the close of the lease. If a buy out provision does exist, it must be a fair market value buy out option in order to maintain the character of the true lease. The lessor of tangible personal property under a true lease in Illinois, is deemed the end user of the property to be leased.
\$1.00
- 93-0071 02/25/1993 A true lease generally has no buy out provision at the close of the lease. If a buy out provision does exist, it must be a fair market value buy out option in order to maintain the character of the true lease. The lessor of tangible personal property under a true lease in Illinois, is deemed the end user of the property to be leased.
\$1.25
- 93-0081 03/03/1993 In Illinois, the lessor of tangible personal property under a true lease, is deemed the end user of the property to be leased. (Illinois Administrative Code Sec. 130.220). As the end user of tangible personal property located in Illinois, the lessor owes use tax on his cost price of such property. Since the lessor has already discharged the tax liability with respect to the leased property, no tax is imposed on rental receipts by the State of Illinois. Consequently, the lessee incurs no tax liability.
\$1.00
- 93-0082 03/05/1993 In Illinois, a true lease generally has no buy out provision at the close of the lease. If a buy out provision does exist, it must be a fair market value buy out option in order to maintain the character of the true lease. The lessor of tangible personal property under a true lease in Illinois, is deemed the end user of the property to be leased.
\$1.25

DEPARTMENT OF REVENUE

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

1993 FIRST QUARTER SUNSHINE INDEX

93-0113

02/26/1993 In Illinois, a lessee will incur Use Tax liability on property which is purchased for use in this state. Use is defined in the Use Tax regulations, as the exercise of any right or power over property incident to the ownership of that property.

93-0070
\$1.00

02/24/1993 Coolant is a consumable supply and does not qualify for the exemption available for manufacturing machines. It is not within the definition of "equipment" or "tool" as those terms are contemplated in the Retailers' Occupation Tax Act or regulations. Consequently, coolant is fully subject to tax.

LOCAL TAXES

93-0074
\$1.00

02/26/1993 Nuts and bolts for exempt machinery purchased at retail are exempt from Retailers' Occupation Tax.

93-0042
\$1.00

02/10/1993 When the legal incidence of a local or federal tax is upon the manufacturer or importing distributor, such taxes become part of gross receipts subject to the Retailers' Occupation Tax. However, where the incidence of the federal tax is upon the consumers, and the retailer merely acts as a collector of that tax, then the federal tax can be excluded from gross receipts when calculating Illinois Retailers' Occupation Tax liability.

93-0118
\$1.00

03/31/1993 The Retailers' Occupation Tax does not apply to sales of machinery and equipment used primarily (over 50 percent of the time) in the manufacturing or assembling of tangible personal property for wholesale or retail sale or lease.

93-0121
\$1.00

03/31/1993 Post-production storage facilities do not generally qualify for manufacturing machinery and equipment exemption. However, a refrigeration or freezer facility maintained at a specific temperature which is required in order to preserve a manufactured product, can qualify for the exemption.

MANUFACTURING MACHINERY AND EQUIPMENT

MANUFACTURING MACHINERY AND EQUIPMENT EXEMPTION

93-0034
\$1.25

02/04/1993 Hand-held micrometers do not qualify for the Manufacturing Machinery and Equipment Exemption.

93-0040
\$1.25

02/09/1993 The slaughter of animals and subsequent processing into meat products for wholesale or retail sale is a manufacturing process. Equipment used in this process may qualify for the manufacturing machinery and equipment exemption.

93-0122
\$1.00

03/31/1993 The removal of moisture from grain in a commercial grain elevator by means of grain dryers does not constitute a manufacturing process.

93-0050
\$1.00

02/17/1993 Beginning January 1, 1993, all parts for exempt manufacturing machinery transferred in a service context, including stock parts, are not subject to Service Occupation Tax.

MEDICAL APPLIANCES

93-0052
\$1.00

02/18/1993 Soldering flux is considered to be a consumable manufacturing supply; as such, it does not qualify for the manufacturing machinery and equipment exemption and is fully taxable.

93-0073
\$1.00

02/25/1993 Items which qualify as food, medicine or a medical appliances are subject to the low rate of tax, 1% plus applicable local taxes. Items which do not qualify as food, medicine or medical appliances are subject to the high rate of tax, 6.25% plus applicable local taxes.

93-0053
\$1.00

02/18/1993 The manufacturing machinery and equipment exemption provides an exemption for machinery and equipment used primarily in the manufacturing or assembling of tangible personal property for wholesale, retail sale or lease.

93-0108
\$1.25

03/24/1993 Apnea Monitor / Smart Monitor, Patient Cable, Electrodes, Battery Pack-D/C, Wallaby, or Pulmo Aids do not constitute medical appliances. They are, rather, items used in the treatment or diagnosis of illness. As a result, they are fully taxable.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

MISCELLANEOUS

- 93-0025 \$1.00 01/29/1993 Illinois residents are not entitled to governmental exemption from State taxes.
- 93-0029 \$1.00 02/04/1993 Interest can not be "protested" and made the subject of an administrative hearing. The Department's Legal Services Bureau has no authority to abate interest. In order to abate interest, your client will have to file a Petition to Abate Interest with the Department's Board of Appeals.
- 93-0032 \$1.00 02/04/1993 It is a Class A misdemeanor for a retailer to advertise that he will pay the sales tax on a purchase.
- 93-0049 \$1.25 02/17/1993 Survey regarding insurance companies and taxes in Illinois.
- 93-0092 \$1.00 03/16/1993 The Metropolitan Pier and Exposition Authority Food and Beverage Tax is levied, in part, upon "food, alcoholic beverages and soft drinks sold on boats and other watercraft departing from and returning to the shoreline of Lake Michigan (including Navy Pier and all other improvements fixed to land, docks, or piers) described in item (3)."
- 93-0106 \$1.25 03/24/1993 Taxpayer request for various exemption forms.
- 93-0110 \$1.00 03/25/1993 The U.S. Federal Government doe not impose "consumption taxes" or value added taxes similar to those in Europe.
- 93-0111 \$1.00 03/25/1993 Gross receipts for sales of trees and fish by the Illinois xxxxx are not subject to Retailers' Occupation Tax liability.

MISCELLANEOUS/INTERSTATE COMMERCE

- 93-0094 \$1.00 03/16/1993 The sale of tangible personal property delivered to a freight forwarder for export outside the U.S. qualifies for exemption as a sale into foreign commerce.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

MOTOR FUEL TAX

- 93-0116 \$1.00 03/30/1993 Whether a lessor or a lessee must be licensed to report motor fuel tax depends upon the length of the lease.

NEWSPRINT AND INK

- 93-0026 \$1.00 01/29/1993 The sale of looseleaf services initially sold with binders and updated by the issuance of periodic replacement pages which meet the terms of Moody's, are non-taxable, even if the charge for the updates is not separately stated from the charge for the binders. This letter reverses a long-standing Department position.

- 93-0083 \$1.25 03/05/1993 Printers may purchase paper and ink tax free which will be incorporated into a magazine by certifying to their suppliers that they are claiming the newsprint and ink exemption for the paper and ink that will be used to produce magazines and/or papers.

NEXUS

- 93-0004 \$1.25 01/06/1993 Out of state retailers must determine their Illinois tax obligations, if any, based upon their contacts with state.
- 93-0027 \$1.25 02/03/1993 Out of state retailers must determine their Illinois tax obligations, if any, based upon their contacts with state.
- 93-0054 \$1.25 02/18/1993 Out of state retailers must determine their Illinois sales tax obligation, if any, based upon their contacts with state.
- 93-0088 \$1.25 03/11/1993 Out-of-state retailers must determine their Illinois tax obligations, if any, based upon their contacts with state.

OCCASIONAL SALES

- 93-0024 \$1.25 01/28/1993 If a person selling an airplane is not engaged in the business of selling airplanes, but is instead selling a capital asset which he has used in his business and no longer needs, he is making an occasional sale. Occasional sales are not subject to

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

Retailers' Occupation Tax per the terms 86 Ill. Adm. Code Section 130.110.

PHOTOGRAPHERS

93-0090 03/15/1993 It is the Department's position that the sale of albums and frames are not the sale of "the products of photoprocessing." The sale of such items constitutes a retail transaction in which 100% of the selling price of the items are subject to tax.

POLLUTION CONTROL

93-0030 02/04/1993 Under 86 Ill. Admin. Code 130.335, any system, method, construction, device or appliance appurtenant thereto sold or used or intended for the primary purpose of eliminating, preventing or reducing air pollution qualifies for the pollution control exemption. Accordingly, air cleaners used for this purpose are exempt from sales tax as pollution control facilities.

POLLUTION CONTROL FACILITIES

93-0010 01/11/1993 Refrigerant recovery and recycling units which are intended by manufacturers for the primary purpose of preventing air pollution by preventing the release of harmful gases into the atmosphere, qualify as pollution control facilities and are exempt from tax.

93-0017 01/21/1993 Unless the primary purpose of a system is to prevent air or water pollution, or to treat, pretreat, modify or dispose of any potential solid, liquid or gaseous pollutant which if released without such treatment pretreatment, modification or disposal might be harmful, detrimental or offensive to human, plant or animal life, or to property, the system does not qualify for the exemption.

93-0036 02/05/1993 Air purification devices which are designed to reduce harmful odors, gases and volatile organic compounds by means of oxidation constitute pollution control facilities exempt from tax.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

93-0089 03/12/1993 Storage tanks which hold an oxygenating agent for blending with gasoline do not qualify for the pollution control exemption.

PUBLIC UTILITY TAXES

93-0114 03/26/1993 The purchase of natural gas from an out-of-state location which is transferred to this State for use or consumption is not subject to the Use Tax or the Illinois Gas Revenue Tax.

PULL TABS

93-0014 01/19/1993 The Department has no authority to issue legal opinions regarding lotteries, raffles or other types of gaming outside of bingo, charitable games and pull tabs games.

RETAILERS' OCCUPATION TAX

93-0084 03/05/1993 When a seller ships goods to a purchaser by carrier and the carrier loses such goods, thereby becoming obligated by contract to pay the seller for them, there is no "use" by the carrier of the lost property which would trigger a Use Tax obligation which the seller would be required to collect.

RETURNS

93-0031 02/04/1993 In order to change from the "gross receipts" to "gross sales" method of accounting, the taxpayer must remit payment to the Department for tax due on all receivables on the books at the time of conversion.

93-0069 02/23/1993 If amounts reported on a return are not a whole-dollar amount, they must be rounded up or down to the nearest whole-dollar amount.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

ROLLING STOCK

93-0075 02/26/1993 A carrier holding an Interstate Commerce Commission
\$1.25 Certificate of Authority which hauls its own company's goods part
of the time, but also engages in interstate shipping for hire, may
qualify for the rolling stock exemption if it hauls goods
interstate for hire on a "regular and frequent" basis.

SALE AT RETAIL

93-0001 01/06/1993 No exemption from Illinois sales tax, use tax, or
\$1.00 utility tax is available based upon citizenship in another state
or country. If a person makes purchases from a retailer in
Illinois and receives possession of the property in Illinois, the
purchase will be subject to Illinois sales tax.

93-0011 01/11/1993 A bank executing a conditional sales agreement for the
\$1.25 sale of a car is a retailer and owes Retailers' Occupation Tax up
front on the sale of the car.

93-0045 02/17/1993 Sale of food by dining car catering company subject to
\$1.00 6.25% state rate of tax.

93-0058 02/19/1993 An organization making on going and continuing sales
\$1.00 of tangible personal property in this state will be subject to
Retailers' Occupation Tax liability, even though the organization
may operate on a not-for-profit basis.

93-0079 03/02/1993 No exemption from Illinois sales or use tax is
\$1.00 available based upon citizenship in another state or country. If
a person makes purchases from a retailer in Illinois and receives
possession of the property in Illinois, the purchase will be
subject to Illinois sales tax.

93-0123 03/31/1993 Sale of security key cards subject to Retailers'
\$1.75 Occupation Tax when sold to a customer rather than being
transferred under a maintenance agreement.

SALE FOR RESALE

93-0037 02/08/1993 This letter explains how to document sales for resale
\$1.75 in drop shipment situations.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

93-0056
\$1.25

02/18/1993 This letter describes when garment bags can be
purchased for resale and when they are purchased for use in light
of the principles set out in 86 Ill. Adm. Code 130.2070.

93-0066
\$1.25

02/23/1993 Requirements for a certificate of resale set out at 86
Ill. Admin. Code 130.1405.

93-0072
\$1.00

02/25/1993 In order to document a valid Certificate of Resale,
the seller must obtain from the purchaser the information set out
at 86 Ill. Admin. Code 130.1405. Any document which contains this
information, will be sufficient as a Certificate of Resale in
Illinois.

93-0085
\$1.25

03/08/1993 Disposable napkins, drinking straws, cups and other
paper or plastic utensils used by a restaurant on-premises in lieu
of more durable serving equipment are fully subject to tax.
However, if these same items are placed in carry-out orders, they
are non-taxable as purchases for resale.

93-0100
\$1.25

03/19/1993 Sales for resale must be documented by Certificates of
Resale containing the information required by 86 Ill. Adm. Code
Section 130.1415.

SALE OF SERVICE

93-0005
\$1.25

01/06/1993 Sales of certain types of personalized property such
as business form's, envelopes and letterhead stationary containing
a company's name or logo are not subject to Retailers' Occupation
Tax or Use Tax. Rather, such items are subject to the Service
Occupation Tax and Service Use Tax as a special order printing.

93-0055
\$1.50

02/18/1993 A registered serviceman who's cost price of materials
is under the 35% threshold should give his supplier a resale
certificate and self assess Service Occupation Tax using the
Service Occupation Tax rate for his location. This Service
Occupation Tax rate will include local or municipal Service
Occupation Tax.

93-0062
\$1.00

02/22/1993 Illinois does not tax service alone, however, under
the Service Occupation Tax tangible personal property transferred
as an incident of the sale of service is subject to tax. See 86
Ill. Admin. Code 140.101, enclosed.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

93-0091
\$1.25

03/15/1993 The purchase of tangible personal property that is transferred to the service customer may result in either Service Occupation Tax liability or Use Tax liability for the serviceman, depending upon which tax base he chooses to calculate his liability. He may calculate his tax base in one of four ways: 1. separately stated selling price; 2. 50% of serviceman's entire bill; 3. SOT on his cost price if he is a registered de minimus serviceman (effective January 1, 1993, P.A. 87-876); or, 4. Use Tax on his cost price if he is an unregistered de minimus serviceman.

93-0097
\$1.25

03/19/1993 Under the Service Occupation Tax Act, a serviceman is taxed on tangible personal property transferred as an incident of the sale of service. The purchase of tangible personal property that is transferred to the service customer may result in either Service Occupation Tax liability or Use Tax liability for the serviceman, depending upon which tax base he chooses to calculate his liability. He may calculate his tax base in one of four ways: 1. separately stated selling price; 2. 50% of serviceman's entire bill; 3. SOT on his cost price if he is a registered de minimus serviceman (effective January 1, 1993, P.A. 87-876); or, 4. Use Tax on his cost price if he is an unregistered de minimus serviceman.

93-0115
\$1.50

03/30/1993 A serviceman may calculate his Service Occupation Tax base in one of four ways: 1. separately stated selling price; 2. 50% of serviceman's entire bill; 3. SOT on his cost price if he is a registered de minimus serviceman (effective January 1, 1993, P.A. 87-876); or, 4. Use Tax on his cost price if he is an unregistered de minimus serviceman.

SERVICE OCCUPATION TAX

93-0077
\$1.50

03/02/1993 Under the Service Occupation Tax Act, a serviceman is taxed on tangible personal property transferred as an incident of the sale of service. The purchase of tangible personal property that is transferred to the service customer may result in either Service Occupation Tax liability or Use Tax liability for the serviceman, depending upon which tax base he chooses to calculate his liability. He may calculate his tax base in one of four ways: 1. separately stated selling price; 2. 50% of serviceman's entire bill; 3. SOT on his cost price if he is a registered de

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

minimus serviceman (effective January 1, 1993, P.A. 87-876); or, 4. Use Tax on his cost price if he is an unregistered de minimus serviceman.

93-0103
\$1.75

03/22/1993 Since January 1, 1993, if the aggregate annual cost price of the tangible personal property transferred by a registered serviceman incident to service is less than 35% of the aggregate annual gross receipts from service, (75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production), the serviceman can handle his SOT liability by paying SOT to the Department. He should provide his supplier with a Certificate of Resale for those items that will be transferred to his service customer. If he is registered and cannot claim de minimus status, he must pay SOT based either upon his selling price of the goods transferred, or if this price is not separately stated, then on 50% of the entire customer service bill. Only if he serviceman is unregistered and qualifies for de minimus status under the annual aggregate method can he pay Use Tax to his supplier on his cost price of materials transferred.

TELECOMMUNICATIONS

93-0060
\$1.00

02/22/1993 Services provided by a telecommunications retailer which are directly related to the retailer's provision of telecommunications to customers, are included in gross charges for purposes of the Telecommunications Excise Tax. Answering services provided by a telecommunications retailer are included in this category of taxable services.

TELECOMMUNICATIONS EXCISE TAX

93-0020
\$1.00

01/25/1993 The Telecommunications Excise Tax (Ill.Rev.Stat. 1991, ch. 120, par. 2001 Se seq.) imposes a tax on telecommunications; the provisions of Section 8-11-2 of the Municipal Code of 1961 (Ill.Rev.Stat. 1991, ch. 24, par. 8-11-2) also contain language permitting municipalities to impose a tax on telecommunications.

93-0023
\$1.25

01/27/1993 A separately-stated charge for "detail billing" (customer receives detail of charges for calls made instead of a lump sum bill) is includable in gross charges. Such a charge is the recovery of a cost of doing business includable in gross receipts under the provisions of Section 495.100(a). A "start-up"

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

fee is also includable in gross charges because it is a service directly related to the act of originating or receiving telecommunications.

93-0086

\$1.00 03/09/1993 The exemption from the Telecommunications Excise Tax is limited by statute to "business enterprises certified under Section 9-222.1 of The Public Utilities Act" High Impact Businesses which are located in a federally designated Foreign Trade Zone or Sub-Zone. This company is exempt from the Telecommunications Excise Tax only if it is located in such an area.

93-0099

\$1.25 03/19/1993 A non-regulated mobile radio data (non voice) two-way transmission service is a type of "telecommunication" subject to the Telecommunications Excise Tax. To the extent that registration fees and equipment rental are not disaggregated and separately identified on the customer bill, such charges are included in gross charges and subject to tax. Fees for the use of the service, for access charges with an interexchange carrier and for message storage fees are all subject to tax.

TIRE USER FEE

93-0033

\$1.00 02/04/1993 Beginning January 1, 1993, the tire user fee does not apply to the sale of "reprocessed tires," which are defined as used tires that have been recapped, retreaded or regrooved.

93-0061

\$1.00 02/22/1993 Tires which are purchased by a car dealership to be put on a car that will be resold are exempt from the Tire User Fee.

93-0063

\$1.00 02/22/1993 Information Bulletin FY93-24 explains changes to the Tire User Fee.

TRADE-INS

93-0013

\$1.00 01/19/1993 The trade-in deduction is available only where the seller has taken an item in trade and has given a trade-in allowance off the selling price of an item being sold.

93-0035

\$1.50 02/05/1991 This letter discusses the availability of the trade-in deduction to advance trades and multiple trades.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1993 FIRST QUARTER SUNSHINE INDEX

93-0107 03/24/1993 The rules regarding trade-ins are found at 86 Ill. Adm. Code Section 130.405.

USE TAX

93-0007

\$1.00 01/07/1993 Use Tax (both State and any applicable local Use Tax) is due on a plane purchased outside of Illinois which is registered to a location in Illinois.

93-0047

\$1.00 02/17/1993 An out-of-state company which has a salesman in Illinois who collects purchase orders and sends them to an out of state location for acceptance and to be filled from an out of state inventory, is considered an out-of-state "retailer doing business in this state," and is required to register as a Use Tax collector on all sales delivered into Illinois.

93-0059

\$1.25 02/19/1993 It is preferred that a retailer collecting Use Tax from a purchaser provide the purchaser with a receipt showing the tax as a separate item. In some cases, such as sales of drinks in a bar or items from a vending machine, it is impractical to separately state the tax because no receipt is issued to the customer. In such a case, the seller must post a sign stating that the selling price includes state and local tax.

93-0065

\$1.00 02/22/1993 If a university conducts an orientation program for students, and charges a flat fee for the costs, which include costs for food (for up to three persons), the food is not subject to Retailers' Occupation Tax. Instead, the food represents part of the university's operating expenses and is subject to Use Tax. If the University possesses an exemption number, however, the food is not subject to tax.

93-0117

\$1.00 03/31/1993 Donors owe Use Tax on their cost price of the tangible personal property which they purchase and give away. See the enclosed copy of Section 150.305(c).

VEHICLE LEASING

93-0098

\$1.75 03/19/1993 This letter explains trade in issues, gross receipt issues and tax free issues on vehicle leasing activities

DEPARTMENT OF REVENUE
NOTICE OF PUBLIC INFORMATION
1993 FIRST QUARTER SUNSHINE INDEX

VEHICLE USE TAX

93-0096 03/16/1993 The reduced tax of \$15 per motor vehicle applies when a motor vehicle which has once been subjected to the Illinois retailers' occupation or use tax is transferred in connection with the organization, reorganization, dissolution or partial liquidation of an incorporated or unincorporated business wherein the beneficial ownership is not changed.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS
NOTICE OF REGULATORY FLEXIBILITY IMPACT ANALYSIS
RULES PROMULGATED BY STATE AGENCIES THAT MAY IMPACT SMALL BUSINESS

Name Of Agency: Department of Revenue

Heading of the Part: Income Tax

Code Citation: 86 Ill. Adm. Code 100

Sections Involved: 100.3700
100.3750

Notice of Proposal Published in Illinois Register: July 2, 1993

Statutory Authority: 35 ILCS 5/304

Information concerning this Regulatory Flexibility Impact Analysis shall be directed to:

Name: Linda D. Brand
Address: Department of Commerce and Community Affairs
620 E. Adams, Springfield, IL 62701
Telephone: (217) 785-6354

Other pertinent information regarding these rules: Hearing:

July 21, 1993
9:30 a.m. to Noon
James R. Thompson Center
Room 9-040
Chicago, Illinois

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

ABANDONED MINED LANDS RECLAMATION COUNCIL

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of July 7, 1993 through July 13, 1993, and have been scheduled for review by the Committee at its August 17, 1993 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
8/19/93	Department of Employment Security, Employment (56 Ill Adm Code 2732)	4/16/93 17 Ill Reg 5985	8/17/93
8/20/93	Department of Insurance, Repeal of Actuarial Qualification (50 Ill Adm Code 920)	3/5/93 17 Ill Reg 2530	8/17/93
8/20/93	Department of Public Aid, Hospital Services (89 Ill Adm Code 148)	5/14/93 17 Ill Reg 6935	8/17/93
8/20/93	Illinois Farm Development Authority, Illinois Farm Development Authority (8 Ill Adm Code 1400)	4/2/93 17 Ill Reg 3956	8/17/93

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Abandoned Mined Lands Reclamation
- 2) Code Citation: 62 Ill. Adm. Code 2501
- 3) Sections: 2501.4
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions: Existing Cite	New Site
2501.4	par. 1001 et seq.	par. 1001.1 et seq.

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ABANDONED MINED LANDS RECLAMATION COUNCIL

NOTICE PURSUANT TO P.A. 87-823

1) Heading of the Part: Selection of Contractors and Consultants

2) Code Citation: 44 Ill. Adm. Code 1150

3) Sections: 1150.50

4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions: Existing Cite	New Site
1150.50	Section 6.02 par. 1006.02	Section 5-75 par. 1005-75

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS REGISTER

ABANDONED MINED LANDS RECLAMATION COUNCIL

NOTICE PURSUANT TO P.A. 87-823

1) Heading of the Part: Public Information, Rulemaking and Organization

2) Code Citation: 2 Ill. Adm. Code 1500

3) Sections: Authority Note
1500.120

4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions: Existing Cite	New Site
Authority Note 1500.120	Section 4.01 par. 1004.01 pars. 1001 et seq.	Section 5-15 par. 1005-15 par. 1001-1 et seq.

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ATTORNEY GENERAL

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of Part: Compliance With the Freedom of Information Act
- 2) Code Citation: 2 Ill Adm Code 576
- 3) Sections: Authority Note
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
Authority Note	Sec. 4.01 Par. 1004.01	Sec. 5-15 Par. 1005-15

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS REGISTER

ATTORNEY GENERAL

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of Part: Rulemaking and Organization
- 2) Code Citation: 2 Ill Adm Code 575
- 3) Sections: Authority Note
575.100
575.205
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
Authority Note	Sec. 4.01 Par. 1004.01	Sec. 5-15 Par. 1005-15
575.100(d)	Sec. 4.01 Sec. 4.01(a)	Sec. 5-15 Sec. 5-15(a)
575.205	Sec. 4.01	Sec. 5-15

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Operating Procedures for the Administration of Federal Funds
- 2) Code Citation: 20 Ill. Adm. Code 1520
- 3) Sections: 1520.60
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	<u>Existing Cite</u>	<u>New Cite</u>
1520.60	Par. 1010-1015	Par. 1010-5 et seq.

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

BOARD OF TRUSTEES, EAST ST. LOUIS
COMMUNITY COLLEGE

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of Part: Public Information, Rulemaking and Organization
- 2) Code Citation: 2 Ill Adm Code 5100
- 3) Sections: Authority Note
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	<u>Existing Cite</u>	<u>New Cite</u>
Authority Note	Sec. 4.01 Par. 1004.01	Sec. 5-15 Par. 1005-15

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

BOARD OF TRUSTEES, EAST ST. LOUIS
COMMUNITY COLLEGE

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of Part: State Community College of East St. Louis
- 2) Code Citation: 23 Ill Adm Code 1600
- 3) Sections: 1600.220
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
1600.220	Par. 1001	Par. 1001-1

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PURSUANT TO P.A. 87 - 823

- 1) Heading of the Part: Technical Policy Statements
- 2) Code Citation: 35 Ill. Adm. Code 653
- 3) Sections: 653.802
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par 1001-1 et seq.) [5 ILCS 100/1-1 et seq.] as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Unit, Index Department, Office of the Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
653.802 (d) (4) (D)	Sections 10-16	Sections 10-25 through 10-65

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Hearing Procedures
- 2) Code Citation: 80 Ill. Adm. Code 1105
- 3) Sections: 1105.50; 1105.160
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par.1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions Existing Cite	New Cite
1105.50(e)(6)	Par.1015	Par.1010-60
1105.160(d)(6)	Par.1015	Par.1010-60

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Public Information, Rulemaking, Organization and Personnel
- 2) Code Citation: 2 Ill. Adm. Code 2675
- 3) Sections: Authority Note; 2675.110
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par.1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions Existing Cite	New Cite
Authority Note	Sec. 4 Sec. 4.01	Sec.5-10 Sec.5-15
2675.110	Par.1001,et seq.	Par.1001-1 seq

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Unfair Labor Practice Procedures
- 2) Code Citation: 80 Ill. Adm. Code 1120
- 3) Sections: 1120.40
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions: Existing Cite	New Cite
1120.40(a)	Sec. 10(a) Par. 1010(a)	Sec. 10-25(a) Par. 1010-25(a)

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of Part: Processing, Classification Policies and Review Criteria
- 2) Code Citation: 77 Ill. Adm. Code 1110
- 3) Sections Involved: 1110.Appendix B; 1110.Appendix C
- 4) The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.] requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of the Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions: Existing Cite	New Cite
1110.Appendix B	Ill. Rev. Stat. 1987 pars. 1001 et seq.	Ill. Rev. Stat. 1991 pars. 1001-1 et seq.
1110.Appendix C	Ill. Rev. Stat. 1981 pars. 1001 et seq.	Ill. Rev. Stat. 1991 pars. 1001-1 et seq.

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

DEPARTMENT OF STATE POLICE

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of Part: Law Enforcement Agencies Data Systems (LEADS)
- 2) Code Citation: 20 Ill. Adm. Code 1240
- 3) Sections: 1240.130
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of the Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
1240.130	Par. 1005	Par. 1005-35
	Par. 1006	Par. 1005-65

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

PROCLAMATION

93-282

**DISASTER AREAS - COUNTIES ALONG UPPER MISSISSIPPI
RIVER BASIN, ROCK RIVER AND CHAIN-OF-LAKES AREA**

A series of severe thunderstorms and torrential rains throughout the upper Mississippi River basin and along the Rock River have caused serious riverine flooding along both rivers. Continued adverse weather has also caused flash flooding in the Chain-of-Lakes area and other areas in northeastern Illinois. The flooding has caused a disruption in public services and damages to homes, businesses, farms, livestock, agricultural levees, roads and other property.

Because of the record and near-record flood levels along the Mississippi and Rock rivers and because of the flash flooding in northeastern Illinois, which impact the health, safety and welfare of our citizens, I hereby declare Jo Daviess, Carroll, Whiteside, Rock Island, Mercer, Henderson, Hancock, Adams, Pike, Calhoun and Jersey counties along the east bank of the Mississippi River; Winnebago, Ogle, Lee and Henry counties along the Rock River; and Lake McHenry counties to be State of Illinois Disaster Areas, pursuant to provisions of Section 3305/7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7 (1992 State Bar Edition).

This gubernatorial declaration of disaster will aid the Illinois Emergency Management Agency in coordinating the response and recovery assistance of other State agencies and volunteer resources; in supplementing the local government efforts; and in providing for the reassessment of real and personal property substantially damaged by the storm. This declaration will also make possible any requests for Federal disaster assistance.

Issued by the Governor July 1, 1993.

Filed with the Secretary of State July 1, 1993.

93-283

**DISASTER AREAS - COUNTIES ALONG ROCK RIVER
AND LOWER MISSISSIPPI RIVER BASIN**

A series of severe thunderstorms which brought torrential rains and excessive precipitation levels statewide beginning in mid-March are continuing to date, causing flash flooding in northern Illinois and record flood levels throughout the Mississippi River Basin. The water continues to rise in all of the State's tributaries to the Mississippi River, threatening those counties adjacent to the tributaries to the Rock River and those counties in the southwestern part of the State adjacent to the Mississippi River below the confluence of the Missouri and the Illinois rivers.

In the interest of aiding those counties affected by the adverse weather and minimizing the threat to public health, safety and welfare of our citizens, I hereby declare Boone, Stephenson, Madison, St. Clair, Monroe, Randolph, Jackson, Union, and Alexander counties to be State of Illinois Disaster Areas, pursuant to provisions of Section 3305/7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7 (1993 State Bar Edition).

This gubernatorial declaration of disaster will aid the Illinois Emergency Management Agency in coordinating the assistance of local units of government, other State agencies, and volunteer resources in providing reasonably necessary emergency measures for disaster mitigation in the towns protected by the levees. This declaration will also provide for the reassessment of real and personal property and make possible any requests for Federal disaster assistance.

Issued by the Governor July 7, 1993.

Filed with the Secretary of State July 7, 1993.

93-284 CHRISTIAN HERITAGE WEEK

Whereas, religious holidays, festivals, and celebrations add to the cultural mosaic of our state; and

Whereas, churches are a functional part of the communities in our state, often providing charitable assistance to our citizens; and

Whereas, Thanksgiving week is an appropriate time to center attention on the religious heritage of our state and nation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 21-27, 1993, as CHRISTIAN HERITAGE WEEK in Illinois.

Issued by the Governor June 24, 1993.

Filed with the Secretary of State July 8, 1993.

93-285 JAYCEE HAUNTED HOUSE WEEK

Whereas, members of the Illinois Junior Chamber of Commerce ("Jaycees") have been providing leadership training and service to the communities in which they live for more than 73 years; and

Whereas, members of the Illinois Jaycees have been exemplary in their quest to improve themselves, their communities, and the quality of life for their neighbors; and

Whereas, the Illinois Jaycees organization has more than 290 local chapters in 12 regions within the state; and

Whereas, many of the chapters in Illinois operate haunted houses, on an annual basis, as a means of generating revenue to

fund community improvement projects in their respective communities; and

Whereas, haunted houses provide the general public with a family-oriented activity associated with the Halloween holiday; and

Whereas, Jaycee haunted houses have been known to cause a condition known as the "W.I.L.I.E.S." (Willing Individuals Learning Leadership In Eerie Surroundings);

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 24-31, 1993, as JAYCEE HAUNTED HOUSE WEEK in Illinois.

Issued by the Governor June 24, 1993.

Filed with the Secretary of State July 8, 1993.

93-286 BELL RINGING DAY

Whereas, July 4, 1993, marks the 217th anniversary of the signing of the Declaration of Independence; and

Whereas, on June 26, 1963, the Congress of the United States adopted Concurrent Resolution 25, encouraging nationwide bell ringing in celebration of this event each year; and

Whereas, each state throughout the nation is requested to simultaneously ring bells commemorating the ringing of the Liberty Bell upon approval of the Declaration of Independence in 1776; and

Whereas, the national bell ringing will originate in the City of Philadelphia, with the tapping of the Liberty Bell;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 4, 1993, as BELL RINGING DAY in Illinois.

Issued by the Governor June 28, 1993.

Filed with the Secretary of State July 8, 1993.

93-287 B'NAI B'RITH 150TH ANNIVERSARY DAY

Whereas, B'nai B'rith was founded 150 years ago on October 13, 1843, and has been a leader in the field of community and volunteer service; and

Whereas, B'nai B'rith was the first international service organization founded in the United States. It established the first free employment bureau in this country and opened numerous manual and technical schools for immigrants; and

Whereas, B'nai B'rith is active in more than 40 countries on six continents throughout the free world and serves more than a half-million members ranging in age from 13 to 103; and

Whereas, B'nai B'rith, as the world's largest Jewish Service Organization, unites the Jewish community in dedication to the

betterment of the Jewish people, the strengthening of Israel and the preservation of Jewish learning and life around the world; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 13, 1993, as B'NAI B'RITH 150TH ANNIVERSARY DAY in Illinois.

Issued by the Governor June 28, 1993.
Filed with the Secretary of State July 8, 1993.

93-288
CHATHAM JAYCEES SWEET CORN FESTIVAL 20TH ANNIVERSARY DAY

Whereas, the Chatham Jaycees, an organization with more than 100 members whose primary objective has been to promote leadership training and community service, held its first Sweet Corn Festival in 1974; and

Whereas, for 20 years, the Sweet Corn Festival has promoted good, wholesome, summertime family entertainment and has become a focal point of the community; and

Whereas, proceeds from the annual festival are directed into worthwhile community projects such as Chatham's parks, Shoes-for-Kids, Chatham Glenwood High School afterprom party, and personal crisis intervention; and

Whereas, the Sweet Corn Festival has been recognized by the National Jaycees as the "Best Fund Raising Event" in the nation and by the Illinois Times as the "Best Small Town Festival"; and
Whereas, the Chatham Jaycees 20th Annual Sweet Corn Festival will be held July 30 and 31;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 31, 1993, as CHATHAM JAYCEES SWEET CORN FESTIVAL 20TH ANNIVERSARY DAY in Illinois.

Issued by the Governor June 28, 1993.
Filed with the Secretary of State July 8, 1993.

93-289
CITIZENS OF CLARK COUNTY EXPRESSED GRATITUDE

Whereas, the Lincoln Legal Papers Project, administered by the Illinois Historic Preservation Agency (IHPA), seeks to make available comprehensive documentation of the cases and legal actions in which Lincoln and his partners participated; and
Whereas, through the Lincoln Papers Project, the IHPA discovered legal documents at the Clark County Courthouse; and
Whereas, the documents are of great historical and monetary value to the people and the State of Illinois; and
Whereas, the citizens of Clark County are donating the Lincoln documents to the Illinois State Archives;

Therefore, I, Jim Edgar, Governor of the State of Illinois, express sincere gratitude to the CITIZENS OF CLARK COUNTY for

their generous donation to the preservation of our state's history.

Issued by the Governor June 28, 1993.
Filed with the Secretary of State July 8, 1993.

93-290
CITIZENS OF COLES COUNTY EXPRESSED GRATITUDE

Whereas, the Lincoln Legal Papers Project, administered by the Illinois Historic Preservation Agency (IHPA), seeks to make available comprehensive documentation of the cases and legal actions in which Lincoln and his partners participated; and
Whereas, through the Lincoln Papers Project, the IHPA discovered legal documents at the Coles County Courthouse; and
Whereas, the documents are of great historical and monetary value to the people and the State of Illinois; and
Whereas, the citizens of Coles County are donating the Lincoln documents to the Illinois State Archives;

Therefore, I, Jim Edgar, Governor of the State of Illinois, express sincere gratitude to the CITIZENS OF COLES COUNTY for their generous donation to the preservation of our state's history.

Issued by the Governor June 28, 1993.
Filed with the Secretary of State July 8, 1993.

93-291
CITIZENS OF DEWITT COUNTY EXPRESSED GRATITUDE

Whereas, the Lincoln Legal Papers Project, administered by the Illinois Historic Preservation Agency (IHPA), seeks to make available comprehensive documentation of the cases and legal actions in which Lincoln and his partners participated; and
Whereas, through the Lincoln Papers Project, the IHPA discovered legal documents at the DeWitt County Courthouse; and
Whereas, the documents are of great historical and monetary value to the people and the State of Illinois; and
Whereas, the citizens of DeWitt County are donating the Lincoln documents to the Illinois State Archives;

Therefore, I, Jim Edgar, Governor of the State of Illinois, express sincere gratitude to the CITIZENS OF DEWITT COUNTY for their generous donation to the preservation of our state's history.

Issued by the Governor June 28, 1993.
Filed with the Secretary of State July 8, 1993.

93-292
CITIZENS OF EDGAR COUNTY EXPRESSED GRATITUDE

Whereas, the Lincoln Legal Papers Project, administered by the Illinois Historic Preservation Agency (IHPA), seeks to make available comprehensive documentation of the cases and legal in which Lincoln and his partners participated; and

Whereas, through the Lincoln Papers Project, the IHPA discovered legal documents at the Edgar County Courthouse; and

Whereas, the documents are of great historical and monetary value to the people and the State of Illinois; and

Whereas, the citizens of Edgar County are donating the Lincoln documents to the Illinois State Archives;

Therefore, I, Jim Edgar, Governor of the State of Illinois, express sincere gratitude to the CITIZENS OF EDGAR COUNTY for their generous donation to the preservation of our state's history.

Issued by the Governor June 28, 1993.
Filed with the Secretary of State July 8, 1993.

93-293

GREATHOUSE FAMILY REUNION DAY

Whereas, the Greathouse family has lived and farmed in Hindsboro, Illinois, for nearly 100 years; and

Whereas, Dora and Rolla Greathouse started the family with their marriage July 3, 1904, and raised seven children, Mabel, Lowell, Ray, Wayne, Helen, Betty, and Pauline, in the Hindsboro home; and

Whereas, children, grandchildren, great-grandchildren, and great-great-grandchildren of Rolla and Dora Greathouse will come from across the United States to Hindsboro July 3 to honor Rolla and Dora's memory and celebrate the family's contributions to agriculture, the church, and the community; and

Whereas, the Greathouse family successfully operated the Roselawn Dairy Farm in Hindsboro for many years and was well known for raising award-winning livestock. Rolla was among the very first Illinois farmers to raise soybeans;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 3, 1993, as GREATHOUSE FAMILY REUNION DAY in Illinois.

Issued by the Governor June 28, 1993.
Filed with the Secretary of State July 8, 1993.

93-294

CITIZENS OF MORGAN COUNTY EXPRESSED GRATITUDE

Whereas, the Lincoln Legal Papers Project, administered by the Illinois Historic Preservation Agency (IHPA), seeks to make available comprehensive documentation of the cases and legal actions in which Lincoln and his partners participated; and

Whereas, through the Lincoln Papers Project, the IHPA discovered legal documents at the Morgan County Courthouse; and

Whereas, the documents are of great historical and monetary value to the people and the State of Illinois; and

Whereas, the citizens of Morgan County are donating the Lincoln documents to the Illinois State Archives;

Therefore, I, Jim Edgar, Governor of the State of Illinois, express sincere gratitude to the CITIZENS OF MORGAN COUNTY for their generous donation to the preservation of our state's history.

Issued by the Governor June 28, 1993.
Filed with the Secretary of State July 8, 1993.

93-295

CITIZENS OF SHELBY COUNTY EXPRESSED GRATITUDE

Whereas, the Lincoln Legal Papers Project, administered by the Illinois Historic Preservation Agency (IHPA), seeks to make available comprehensive documentation of the cases and legal actions in which Lincoln and his partners participated; and

Whereas, through the Lincoln Papers Project, the IHPA discovered legal documents at the Shelby County Courthouse; and

Whereas, the documents are of great historical and monetary value to the people and the State of Illinois; and

Whereas, the citizens of Shelby County are donating the Lincoln documents to the Illinois State Archives;

Therefore, I, Jim Edgar, Governor of the State of Illinois, express sincere gratitude to the CITIZENS OF SHELBY COUNTY for their generous donation to the preservation of our state's history.

Issued by the Governor June 28, 1993.
Filed with the Secretary of State July 8, 1993.

93-296

OAK PARK SERTOMA DAY

Whereas, the Oak Park Sertoma Club is a local unit of Sertoma International, an organization of 35,000 members dedicated to SERVICE TO MANKIND; and

Whereas, the Oak Park Sertoma Club will celebrate its 60th anniversary on July 13; and

Whereas, the Oak Park group of 15 members each year raises \$50,000 at its annual dinner and raffle, distributing \$25,000 to \$30,000 to worthy causes; and

Whereas, members also operate a day camp, which they open each summer, free of charge, to United Cerebral Palsy for about 30 handicapped children for six weeks;

Therefore, I, Jim Edgar, Governor of the State of Illinois,

proclaim July 13, 1993, as OAK PARK SERTOWA DAY in Illinois and commend this local group for its commitment to the community.

Issued by the Governor June 28, 1993.

Filed with the Secretary of State July 8, 1993.

93-297

PROFESSIONAL SECURITY MONTH

Whereas, the American Society for Industrial Security has designated September 1993 to honor security professionals throughout Illinois and the world; and

Whereas, security practitioners are dedicated to protecting the assets-- people, property, and information--of private industry, government, and public institutions; and

Whereas, the efforts of these professionals have significantly reduced the losses caused by a wide range of crimes committed against banks, schools, hotels, hospitals, museums, retail outlets, and countless other organizations that employ their services; and

Whereas, these security professionals have demonstrated outstanding service in preventing or minimizing losses to the community from natural or man-made disasters such as fires, riots, strikes, and other civil disorders;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 1993 as PROFESSIONAL SECURITY MONTH in Illinois and call to the attention of all citizens the achievements and contributions of the more than 25,000 security professionals who comprise the membership of the American Society for Industrial Security.

Issued by the Governor June 28, 1993.

Filed with the Secretary of State July 8, 1993.

93-298

VOCATIONAL EDUCATION WEEK

Whereas, the Illinois Vocational Association has designated the week of February 14-20, 1993, as Vocational Education Week; and

Whereas, the theme for Vocational Educational Week is "Vocational Education: Skills for a Lifetime"; and

Whereas, vocational education supplies Illinois with a strong, well-trained work force that enhances productivity in business and industry and contributes to the state's leadership in the national and international marketplace; and

Whereas, vocational education stimulates the growth and vitality of businesses and industries by preparing workers for the occupation forecast to experience and largest and fastest growth in the next decade; and

Whereas, vocational education serves individual citizens by enabling them to find satisfying careers suited to their own skills and interests, by providing technical skills that allow them to excel in their chosen careers, and by teaching leadership skills that serve them on the job, at home, and in the community; and

Whereas, a strong vocational education program planned and carried out by trained vocational educators is vital to the future economic development of our state and the well-being of its citizens;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 14-20, 1993, as VOCATIONAL EDUCATION WEEK in Illinois and urge all citizens to become familiar with the services and benefits offered by the vocational education programs in our state and to support and participate in these programs as necessary to enhance individual work skills and productivity.

Issued by the Governor June 28, 1993.

Filed with the Secretary of State July 8, 1993.

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF
4 III. Adm. Code 500 Americans With Disabilities Act Grievance Procedure (A-11426/92; CC-1673)
77 III. Adm. Code 2090 Subacute Alcoholism & Substance Abuse Treatment Services (P-8599)
77 III. Adm. Code 2080 Triplicate Prescription Control Program (P-11367/92; O-16691/92; M-11872; A-11424)

ATTORNEY GENERAL
4 III. Adm. Code 125 Americans With Disabilities Act Grievance Procedure (P-2283/92; A-1811)

AUDITOR GENERAL
4 III. Adm. Code 1125 Americans With Disabilities Act Grievance Procedure (P-4523; A-11435)

BANKS AND TRUST COMPANIES, COMMISSIONER OF
4 III. Adm. Code 375 Americans With Disabilities Act Grievance Procedure (A-15976/92; CC-1673)

CAPITAL DEVELOPMENT BOARD
4 III. Adm. Code 725 Americans With Disabilities Act Grievance Procedure (A-11432/92; CC-1673)
71 III. Adm. Code 500 Asbestos Abatement Authority Act Procedures (P-3917)

CARNIVAL-AMUSEMENT SAFETY BOARD
56 III. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-3922)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF
44 III. Adm. Code 5000 Acquisition, Management & Disposal of Real Property (P-11378/92; A-1006)

80 III. Adm. Code 303 Conditions of Employment (P-19285/92; A-5587)
74 III. Adm. Code 900 Joint Rules of the Comptroller & the Dept. of Central Management Services: Prompt Payment (P-10677) (E-11168)

80 III. Adm. Code 2160 Local Government Health Plan (P-3577; A-11441)
80 III. Adm. Code 302 Merit & Fitness (P-17187/92; A-3169)
80 III. Adm. Code 310 Pay Plan (P-191; C-672) (P-13679/92; A-238) (PP-498) (P-13179/92; A-590)

80 III. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (P-2449)
44 III. Adm. Code 1 Standard Procurement (P-12808/92; A-600) (P-3926)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF
89 III. Adm. Code 304 Access to & Eligibility for Child Welfare Services (P-7545/92; A-251)

89 III. Adm. Code 336 Appeal of Child Abuse & Neglect Investigation Findings (P-7963/92; A-1026)
89 III. Adm. Code 434 Audits, Reviews & Investigations (P-7115)

89 III. Adm. Code 330 Child Custody Investigations & Supervision Related to Custodian or Visitation Judgements (P-1259; A-11457)

89 III. Adm. Code 377 Facilities & Programs Exempt from Licensure (P-7553/92; A-259)
89 III. Adm. Code 354 Facility Amusement Funds (PR-8099)

89 III. Adm. Code 402 Licensing Standards for Foster Family Homes (P-11707/92; A-267)
89 III. Adm. Code 378 Multiple Licensure (PR-7561/92; AR-272)
89 III. Adm. Code 356 Rate Setting (P-10679)

89 III. Adm. Code 335 Relative Home Placement (P-6681)
89 III. Adm. Code 309 Review & Appeal Process (PR-7982/92; AR-1044)

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Order by JCAR*
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR Objections
RQ - Request for Correction	
EC - Expedited Corrections	
*Joint Committee on Administrative Rules	

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL
4 III. Adm. Code 1000 Americans With Disabilities Act Grievance Procedure (A-20092/92; CC-1673)

AGING, DEPARTMENT ON
89 III. Adm. Code 240 Community Care Program (P-12251/92; A-224) (P-15203/92; A-6090)
89 III. Adm. Code 220 General Programmatic Requirements (P-883; A-8472) (E-1179)

AGRICULTURE, DEPARTMENT OF
4 III. Adm. Code 550 Americans With Disabilities Act Grievance Procedure (A-11744/92; CC-1673)

8 III. Adm. Code 65 Egg & Egg Products Act (P-527; A-6749)
8 III. Adm. Code 700 Farm Preservation Act (P-9781)

8 III. Adm. Code 115 Ill. Pseudorabies Control Act (E-5906) (P-6373)
8 III. Adm. Code 256 Lawncare Wash Water & Rinsate Collection (P-14975/92; A-2189)

8 III. Adm. Code 125 Meat & Poultry Inspection Act (PP-2063)
8 III. Adm. Code 290 Standardbred & Thoroughbred Horse Breeding & Racing Programs, III. (P-8347)

8 III. Adm. Code 750 Sustainable Agriculture (P-1251; A-6965)
8 III. Adm. Code 105 Swine Disease Control & Eradication Act (E-5910) (P-6377)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF (CONT'D)
 89 Ill. Adm. Code 337 Service Appeal Process (P-7999/92; A-1046)
 89 Ill. Adm. Code 302 Services Delivered by the Department (P-7565/92; A-274) (P-2460) (E-2513)
 89 Ill. Adm. Code 376 Standards for Department Facilities (PR-8104)

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF
 4 Ill. Adm. Code 575 Americans With Disabilities Act Grievance Procedure (A-14621/92; CC-1673)
 47 Ill. Adm. Code 125 Emergency Community Services Homeless Grant Program (P-18879/92; A-6180)
 14 Ill. Adm. Code 520 Enterprise Zone Program (P-13691/92; A-1837) (P-9791)
 47 Ill. Adm. Code 100 Low Income Home Energy Assistance Program (P-16707/92 A-3836)
 56 Ill. Adm. Code 2600 Service Delivery System & State Responsibilities (P-7120/92; A-6483)
 1 Ill. Adm. Code 300 Small Business Impact Analysis Procedures (P-11391/92; A-1511)
 47 Ill. Adm. Code 130 State Administration of the Ill. Neighborhood Corps Program (PR-1; A-7212)
 83 Ill. Adm. Code 745 Tariff Filings (P-10513/92; A-10258)

COMMERCE COMMISSION, ILLINOIS
 92 Ill. Adm. Code 1376 Accounting & Financial Record Requirements (P-8630)
 4 Ill. Adm. Code 400 Americans With Disabilities Act Grievance Procedure (A-12439/92; CC-1673)
 83 Ill. Adm. Code 305 Construction of Electric Power & Communication Lines (P-2462)
 83 Ill. Adm. Code 756 Dual Party Relay Service (P-14004/92; A-1848)
 92 Ill. Adm. Code 1360 Equipment Leases (P-1685)
 83 Ill. Adm. Code 590 Minimum Safety Standards for Transportation of Gas & For Gas Pipeline Facilities (P-2466)
 83 Ill. Adm. Code 255 Notice Requirements for Change in Rates for Cooling, Electric, Gas, Heating, Telecommunications, Sewer or Water Services (P-13703/92; A-798)
 83 Ill. Adm. Code 315 Pole Attachment Rates, Terms & Conditions Applicable to Cable Television Companies & Electric & Telephone Public Utilities (P-202)
 83 Ill. Adm. Code 280 Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (P-12810/92; A-805) (P-6382)
 83 Ill. Adm. Code 735 Procedures Governing the Establishment of Credit, Billing Termination of Service & Issuance of Telephone Directories for Telephone Utilities in the State of Ill. (G.O. #218) (P-6386)
 83 Ill. Adm. Code 275 Promotional Practices of Electric & Gas Public Utilities (P-8269/92; A-98; RQ-2075; EC-3902)
 92 Ill. Adm. Code 1236 Reinstatement of Revoked Operating Authority (P-9167)
 83 Ill. Adm. Code 755 Telecommunications Access for the Hearing & Voice Impaired (P-16709/92; A-5594)
 92 Ill. Adm. Code 1375 Uniform System of Accounts (P-8635)

COMMUNITY COLLEGE BOARD, ILLINOIS
 23 Ill. Adm. Code 1501 Administration of the Ill. Public Community College Act (P-12274/92; A-1853) (P-6686)
 4 Ill. Adm. Code 1050 Americans With Disabilities Act Grievance Procedure (P-17399/92; A-4185)
 2 Ill. Adm. Code 5176 Public Access to Information (CC-6903)
 2 Ill. Adm. Code 5175 Public Information, Rulemaking and Organization (CC-6904)

COMMUNITY DEVELOPMENT FINANCE CORPORATION, ILLINOIS
 47 Ill. Adm. Code 700 By-Laws (P-4530)

COMPTROLLER
 4 Ill. Adm. Code 775 Americans with Disabilities Act Grievance Procedure (P-13710/92; A-6499)
 74 Ill. Adm. Code 330 Joint Rules of the Comptroller & the Dept. of Central Management Services: Prompt Payment (P-10686) (E-11170)

CONSERVATION, DEPARTMENT OF
 17 Ill. Adm. Code 530 Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit & Crow Hunting (P-7138)
 17 Ill. Adm. Code 830 Commercial Fishing & Musseling in Certain Waters of the State (P-17405/92; A-3177)
 17 Ill. Adm. Code 950 Dog Training on Department-Owned or -Managed Sites (P-6390)
 17 Ill. Adm. Code 730 Dove Hunting (P-4539; A-10761)
 17 Ill. Adm. Code 590 Duck, Goose & Coot Hunting (E-1658) (4554)
 17 Ill. Adm. Code 1536 Forestry Development Cost-Share Program (P-8107)
 17 Ill. Adm. Code 510 General Hunting & Trapping on Department-Owned or -Managed Sites (P-4601; A-10775)
 17 Ill. Adm. Code 1050 Ill. List of Endangered & Threatened Flora (P-4608; A-10781)
 17 Ill. Adm. Code 570 Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver & Woodchuck (Groundhog) Trapping (P-4611; A-10785)
 17 Ill. Adm. Code 220 North Point Marina (P-19993/92; A-6760)
 17 Ill. Adm. Code 550 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote & Woodchuck (Groundhog) Hunting (P-4622; A-10795)
 17 Ill. Adm. Code 810 Sport Fishing Regulations for the Waters of Ill. (P-17414/92; A-3853; E-5915) (P-4636; A-10806)
 17 Ill. Adm. Code 690 Squirrel Hunting (P-4672; A-10842)
 17 Ill. Adm. Code 720 Taking of Wild Turkeys-Fall Archery Season, The (P-15260/92; A-281) (P-4680; A-10850)
 17 Ill. Adm. Code 715 Taking of Wild Turkeys-Fall Gun Season (P-4689; A-10858)
 17 Ill. Adm. Code 710 Taking of Wild Turkeys-Spring Season, The (P-18181/92; A-3184)
 17 Ill. Adm. Code 670 White-Tailed Deer Hunting by Use of Bow and Arrow (P-15265/92; A-286) (P-4698)
 17 Ill. Adm. Code 650 White-Tailed Deer Hunting by Use of Firearms (P-4718)
 17 Ill. Adm. Code 660 White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles (P-4742; A-10865)
 17 Ill. Adm. Code 740 Woodchuck, Snipe, Rail & Teal Hunting (P-4757; A-10877)

CORRECTIONS, DEPARTMENT OF
 20 Ill. Adm. Code 440 Advocacy Services (PR-16371/92; AR-1519)
 4 Ill. Adm. Code 475 American With Disabilities Act Grievance Procedure (A-10423/92; CC-1673)
 20 Ill. Adm. Code 525 Rights & Privileges (PP-1666; RQ-9150; C-10013; EC-11903) (PP-8069)
 20 Ill. Adm. Code 502 Safety, Maintenance & Sanitation (P-6394)
 20 Ill. Adm. Code 501 Security (P-8396)

FINANCIAL INSTITUTIONS, DEPARTMENT OF
38 Ill. Adm. Code 190
III. Credit Union Act (P-6599)
Schedules of Maximum Rates to be Charged for Check Cashing & Writing of
Money Orders by Community & Ambulatory Currency Exchanges
(P-6929)
38 Ill. Adm. Code 180
Uniform Disposition of Unclaimed Property Act (P-14006/92; A-123) (P-5990;
A-9893) (E-6321)

FIRE MARSHAL, OFFICE OF THE STATE
4 Ill. Adm. Code 200
Americans With Disabilities Act Grievance Procedure (P-1954/92; A-2200)
41 Ill. Adm. Code 280
Fire Equipment Administrative Procedures (P-15665/92; A-7214
41 Ill. Adm. Code 100
Fire Prevention & Safety (P-15681/92; PF-8083; W-10010)
41 Ill. Adm. Code 140
Policy & Procedures Manual for Fire Protection Personnel (P-14017/92; W-9752)
(E-11181)
41 Ill. Adm. Code 170
Storage, Transportation, Sale & Use of Petroleum & Other Regulated
Substances (E-1186)

HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS
77 Ill. Adm. Code 2510
Data Collection (P-18913/92; A-9700) (P-1695) (E-2031)
77 Ill. Adm. Code 2540
Penalties (P-18915/92; A-9713)
77 Ill. Adm. Code 2510
Special Studies & Analyses (P-1695; A-9896)

HEALTH FACILITIES PLANNING BOARD, ILLINOIS
77 Ill. Adm. Code 1235
Health Care Worker Self-Referral (E-432; O-3056) (P-683)

HEARING AID CONSUMER PROTECTION BOARD
77 Ill. Adm. Code 3000
Hearing Aid Protection Continuing Education Requirements (P-13463/92; A-8817)

HIGHER EDUCATION, BOARD OF
4 Ill. Adm. Code 975
Americans With Disabilities Act Grievance Procedure (A-19806/92; CC-1673)

HISTORIC PRESERVATION AGENCY, ILLINOIS
17 Ill. Adm. Code 4180
Rules for Review of State Agency Undertakings (P-13718/92; A-1521)

HOUSING DEVELOPMENT AUTHORITY, ILLINOIS
4 Ill. Adm. Code 700
Americans with Disabilities Act Grievance Procedure (P-15684/92; A-6507)
47 Ill. Adm. Code 370
National Affordable Housing Act (HOME) Program (P-11713/92; A-319)

HUMAN RIGHTS, DEPARTMENT OF
56 Ill. Adm. Code 2520
Procedural (P-10)

INDUSTRIAL COMMISSION, ILLINOIS
4 Ill. Adm. Code 225
Americans With Disabilities Grievance Procedure (P-7749/92; A-2945)
50 Ill. Adm. Code 7020
Pre-Arbitration (P-14511/92; A-2206)

INSURANCE, DEPARTMENT OF
50 Ill. Adm. Code 1408
Actuarial Opinion & Memorandum (P-8735/92; A-4195)

CRIMINAL JUSTICE INFORMATION AUTHORITY
4 Ill. Adm. Code 150
Americans With Disabilities Act Grievance Procedure (P-1263)

DEVELOPMENT FINANCE AUTHORITY, ILLINOIS
14 Ill. Adm. Code 1230
Employee Ownership Assistance Program (P-9222/92; A-1859)

EDUCATIONAL FACILITIES AUTHORITY, ILLINOIS
23 Ill. Adm. Code 2310
Functions & Planning Program (P-1691; A-9680)

EDUCATIONAL LABOR RELATIONS BOARD, ILLINOIS
4 Ill. Adm. Code 900
Americans With Disabilities Act Grievance Procedure (P-9273/92; A-9887)

EDUCATION, STATE BOARD OF
23 Ill. Adm. Code 210
Learning Assessment & School Improvement Plans (PR-10061)
23 Ill. Adm. Code 1
Public Schools Evaluation, Recognition & Supervision (P-8684/92; A-18010/92;
EC-3553) (P-10079)
23 Ill. Adm. Code 228
Transitional Bilingual Education (P-9253/92; A-104)
23 Ill. Adm. Code 245
Urban Education Partnership Program (P-10131)

EMPLOYMENT SECURITY, DEPARTMENT OF
4 Ill. Adm. Code 1025
Americans With Disabilities Act Grievance Procedure (P-13188/92; A-8802)
56 Ill. Adm. Code 2865
Claimant's Availability For Work, Ability To Work & Active Search For Work
(P-6907)
56 Ill. Adm. Code 2840
Claimant's Reason For Separation From Work (P-886; A-10270) (P-8403)
56 Ill. Adm. Code 2720
Claims, Adjudication, Appeals & Hearings (P-6919)
56 Ill. Adm. Code 2770
Determination of Unemployment Contributions (P-15625/92; A-295)
56 Ill. Adm. Code 2732
Employment (P-211; A-8809) (P-5985)
56 Ill. Adm. Code 2712
General Application (P-17853/92; A-3194)
56 Ill. Adm. Code 2765
Payment of Unemployment Contributions, Interest & Penalties (P-12006/92;
A-308) (P-15638/92; A-614) (P-2523; A-10275)

ENVIRONMENTAL PROTECTION AGENCY
4 Ill. Adm. Code 925
Americans With Disabilities Act Grievance Procedure (P-10534/92; A-8162)
35 Ill. Adm. Code 254
Annual Emissions Report (P-17195/92; A-7782)
35 Ill. Adm. Code 320
Permit Fees for Installing or Extending Sewers (P-2469; A-11461)
35 Ill. Adm. Code 858
Procedures for Operation of the Non-Hazardous Solid Waste Fee System
(P-4621/92; A-4190)
35 Ill. Adm. Code 876
Processing of Claims for Payment from the Underground Storage Tank Fund
(E-16191/92; O-18856/92; RC-18857/92; M-2438)
35 Ill. Adm. Code 252
Public Participation in the Air Pollution Control Permit Program (P-18139/92;
A-9684)
35 Ill. Adm. Code 253
Public Participation in the Air Pollution Permit Program (P-18139/92; A-9698)

FARM DEVELOPMENT AUTHORITY, ILLINOIS
8 Ill. Adm. Code 1400
III. Farm Development Authority (P-8297/92; A-3618) (P-3956)

INSURANCE, DEPARTMENT OF (CONT'D)	
50 III. Adm. Code 920	Actuarial Qualification (PR-2530)
50 III. Adm. Code 927	Anticipated Salvage & Subrogation Recoverable (P-2106)
50 III. Adm. Code 932	Automobile Anti-Theft Mechanisms (P-7279/92; O-1240; M-6893; A-6768)
50 III. Adm. Code 1250	Corrective Orders (P-3985)
50 III. Adm. Code 805	Financial Futures Contracts (P-42; A-6775) (E-154)
50 III. Adm. Code 2013	Group Coverage Discontinuance & Replacement (P-10375/92; A-1525)
50 III. Adm. Code 2015	Infertility Coverage (P-696; A-8170)
50 III. Adm. Code 904	Internal Security Standard & Fidelity Bona (P-3993)
50 III. Adm. Code 1103	Life Reinsurance Agreements (P-8411)
50 III. Adm. Code 2012	Long-Term Care Insurance (P-11279)
50 III. Adm. Code 939	Medical Liability Insurance Loss Reports (P-4768)
50 III. Adm. Code 2008	Minimum Standards for Individual & Group Medicare Supplement Insurance (P-18917/92; A-11469)
50 III. Adm. Code 802	Purchasing & Selling Call & Put Options Contracts (P-44; A-6783) (E-163)
50 III. Adm. Code 916	Required Procedure for Filing & Securing Approval of Life Insurance, Annuity, & Accident & Health Insurance Policy Forms; (P-5992)

JOINT COMMITTEE ON ADMINISTRATIVE RULES	
1 III. Adm. Code 260	Complaint Review (CC-5960)
1 III. Adm. Code 245	Expedited Corrections (CC-5962)
1 III. Adm. Code 250	Five-Year Evaluation of all Existing Rules (CC-5964)
1 III. Adm. Code 210	General Policies (CC-5965)
1 III. Adm. Code 230	Review of Emergency Rulemaking (CC-5967)
1 III. Adm. Code 240	Review of Peremptory Rulemaking (CC-5969)
1 III. Adm. Code 220	Review of Proposed Rulemaking (CC-5971)

LABOR, DEPARTMENT OF	
56 III. Adm. Code 350	Health & Safety (P-3780/92; O-180; R-1239; A-1074) (E-7072)

LABOR RELATIONS BOARD, ILLINOIS STATE/ILLINOIS LOCAL	
80 III. Adm. Code 1200	General Procedures (P-3703)
80 III. Adm. Code 1230	Impasse Resolution (P-3718)
80 III. Adm. Code 1210	Representation Proceedings (P-3734)
80 III. Adm. Code 1220	Unfair Labor Practice Proceedings (P-3755)

LOTTERY, DEPARTMENT OF THE	
11 III. Adm. Code 1770	Lottery (General) (P-16738/92; C-8074)

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF	
59 III. Adm Code 101	Administration (P-10688)
59 III. Adm. Code 122	Certification Under Medicaid Rehabilitation Option for Early Intervention Programs (P-15691/92; RC-3688; A-4236)
59 III. Adm. Code 121	Early Intervention Program (P-15715/92; RC-3689; A-4261)
59 III. Adm. Code 103	Grants (P-14078/92; A-10282)
59 III. Adm. Code 119	Minimum Standards for Certification of Developmental Training Programs (P-6397)

MINES AND MINERALS, DEPARTMENT OF	
62 III. Adm. Code 1847	Administrative & Judicial Review (P-10596/92; A-10887)
62 III. Adm. Code 1775	Administrative & Judicial Review of Decisions (PR-10590/92; AR-10907)
62 III. Adm. Code 1761	Areas Designated by Act of Congress (P-10596/92; A-10909)
62 III. Adm. Code 1800	Bonding & Insurance Requirements for Surface Coal Mining & Reclamation Operations (P-10607/92; A-10916)
62 III. Adm. Code 1845	Civil Penalties (P-10619/92; A-10926)
62 III. Adm. Code 1702	Exemption for Coal Extraction Incidental to the Extraction of Other Minerals (P-10631/92; A-10936)
62 III. Adm. Code 1777	General Content Requirements for Permit Applications (P-10640/92; A-10943)
62 III. Adm. Code 1701	General Definitions (P-10644/92; A-10947)
62 III. Adm. Code 1848	General Rules Relating to Procedure & Practice (P-10669/92; A-10973)
62 III. Adm. Code 240	III. Oil & Gas Act, The (E-1195) (P-13722/92; A-2217) (P-3771)
62 III. Adm. Code 1846	Individual Civil Penalties (P-10691/92; A-10997)
62 III. Adm. Code 1816	Permanent Program Performance Standards--Surface Mining Activities (P-10695/92; A-11001)
62 III. Adm. Code 1817	Permanent Program Performance Standards--Underground Mining Operations (P-10726/92; A-11031)
62 III. Adm. Code 1778	Permit Applications--Minimum Requirements for Legal, Financial, Compliance, & Related Information (P-10758/92; A-11027)
44 III. Adm. Code 610	Plugging & Restoration Contracts (P-1697; A-8176)
62 III. Adm. Code 1772	Requirements for Coal Exploration (P-10762/92; A-11058)
62 III. Adm. Code 1773	Requirements for Permits & Permit Processing (P-10768/92; A-11063)
62 III. Adm. Code 1785	Requirements for Permits for Special Categories of Mining (P-10784/92; A-11075)
62 III. Adm. Code 1705	Restriction on Financial Interests of State Employees (P-10790/92; A-11080)
62 III. Adm. Code 1774	Revision, Renewal, & Transfer, Assignment, or Sale of Permit Rights (P-10793/92; A-11083)
62 III. Adm. Code 1827	Special Permanent Program Performance Standards--Coal Preparation Plants Not Located Within the Permit Area of a Mine (P-10803/92; A-11091)
62 III. Adm. Code 1843	State Enforcement (P-10807/92; A-11095)
62 III. Adm. Code 1764	State Processes for Designating Areas Unsuitable for Surface coal Mining Operations (P-10831/92; A-11114)
62 III. Adm. Code 1779	Surface Mining Permit Applications--Minimum Requirements for Information on Environmental Resources (P-10835/92; A-11118)
62 III. Adm. Code 1780	Surface Mining Permit Applications--Minimum Requirements for Reclamation & Operation Plan (P-10839/92; A-11122)
62 III. Adm. Code 1783	Underground Mining Permit Applications--Minimum Requirements for Information on Environmental Resources (P-10849/92; A-11131)
62 III. Adm. Code 1784	Underground Mining Permit Applications--Minimum Requirements for Reclamation & Operation Plan (P-10853/92; A-11135)

NUCLEAR SAFETY, DEPARTMENT OF	
32 III. Adm. Code 333	Fees for Calibration Services (P-9797)
32 III. Adm. Code 310	General Provisions (P-3787)
32 III. Adm. Code 332	Licensing Requirements for Source Material Milling Facilities (P-10701)
32 III. Adm. Code 400	Notices, Instructions & Reports to Workers; Inspections (P-8655)

NUCLEAR SAFETY, DEPARTMENT OF (CONT'D)

32 III. Adm. Code 390 Particle Accelerators (P-8666)
32 III. Adm. Code 351 Radiation Safety Requirements for Wireline Service Operations & Subsurface Tracer Studies (P-8674)
32 III. Adm. Code 320 Registration of Radioactive Materials, Radiation Machine, & Radiation Installations (P-8693)
32 III. Adm. Code 340 Standards for Protection Against Radiation (PR-3997) (P-4070)
32 III. Adm. Code 335 Use of Radionuclides in the Healing Arts (E-9099)

PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES, ILLINOIS

4 III. Adm. Code 800 Americans With Disabilities Act Grievance Procedure (P-11988/92; A-111143)
59 III. Adm. Code 400 Grants (P-11996/92; A-111151)

POLLUTION CONTROL BOARD

35 III. Adm. Code 1421 Activity Standards (P-19615/92; A-10392)
35 III. Adm. Code 211 Definitions & General Provisions (P-4782)
35 III. Adm. Code 1422 Design & Operation of Facilities (P-20002/92; O-8084; M-10007; A-9911)
35 III. Adm. Code 615 Existing Activities In A Setback Zone or Regulated Recharge Area (P-16465/92; A-1871)

35 III. Adm. Code 604 Finished Water & Raw Water Quality & Quantity (PR-7621)

35 III. Adm. Code 1420 General Provisions (P-19625/92; A-9947)
35 III. Adm. Code 738 Hazardous Waste Injection Restrictions (P-16770/92; A-6190) (P-8423)
35 III. Adm. Code 720 Hazardous Waste Management System (P-16776/92; A-5625) (P-9170)
35 III. Adm. Code 721 Identification & Listing of Hazardous Waste (P-16801/92; A-5650) (P-9193)
35 III. Adm. Code 725 Interim Status Standards for Owners & Operators of Hazardous Waste Treatment, Storage & Disposal Facilities (P-16831/92; A-5681) (P-9245)

35 III. Adm. Code 728 Land Disposal Restrictions (P-16878/92; A-5727) (P-9317)

35 III. Adm. Code 203 Major Stationary Sources Construction & Modification (P-4898) (P-18919/92; A-6973)

35 III. Adm. Code 616 New Activities In A Setback Zone or Regulated Recharge Area (P-16473/92; A-1878)

35 III. Adm. Code 218 Organic Material Emission Standards & Limitations for the Chicago Area (P-4905; C-6520)

35 III. Adm. Code 219 Organic Material Emission Standards & Limitations for the Metro East Area (P-5169; C-6539) (E-8295)

35 III. Adm. Code 611 Primary Drinking Water Standards (P-2533; A-7796) (P-7629)

35 III. Adm. Code 702 RCRA & UIC Permit Programs (P-16924/92; A-5769)

35 III. Adm. Code 703 RCRA Permit Program (P-16930/92; A-5774) (P-9417)

35 III. Adm. Code 605 Sampling & Monitoring (P-2682; A-7943) (P-7738)

35 III. Adm. Code 307 Sewer Discharge Criteria (P-9803)

35 III. Adm. Code 810 Solid Waste Disposal: General Provisions (P-8702)

35 III. Adm. Code 722 Standards Applicable to Generators of Hazardous Waste (P-9445)

35 III. Adm. Code 814 Standards for Existing Landfills & Units (P-8714)

35 III. Adm. Code 811 Standards for New Solid Waste Landfills (P-8726)

35 III. Adm. Code 724 Standards for Owners & Operators of Hazardous Waste Treatment, Storage & Disposal Facilities (P-16970/92; A-5806) (P-9453)

POLLUTION CONTROL BOARD (CONT'D)

35 III. Adm. Code 726 Standards for the Management of Specific Hazardous Waste & Specific Types of Hazardous Waste Management Facilities (P-17028/92; A-5865) (P-9528)
35 III. Adm. Code 739 Standards for the Management of Used Oil (P-9588)
35 III. Adm. Code 730 Underground Injection Control Operating Requirements (P-8428)

PROFESSIONAL REGULATION, DEPARTMENT OF

4 III. Adm. Code 275 Americans With Disabilities Act Grievance Procedure (A-7003/92; CC-1673)
68 III. Adm. Code 1470 Clinical Social Work & Social Work Practice Act (P-8435)
68 III. Adm. Code 1210 Collection Agency Act (P-16374/92; A-1535)
68 III. Adm. Code 1250 Funeral Directors & Embalmers Act (P-11315)
68 III. Adm. Code 1150 III. Architecture Practice Act of 1989 (P-17042/92; A-1554) (P-11337)
68 III. Adm. Code 1220 III. Dental Practice Act (P-15762/92; A-1559) (P-1708) (P-8127) (E-8309)
68 III. Adm. Code 1300 III. Nursing Act of 1987 (P-16484/92; A-1572)
68 III. Adm. Code 1340 III. Physical Therapy Act (P-8444)
68 III. Adm. Code 1465 III. Speech-Language Pathology & Audiology Practice Act, The (P-890)
68 III. Adm. Code 1285 Medical Practice Act of 1987 (P-9624)
68 III. Adm. Code 1310 Nursing Home Administrators Licensing & Disciplinary Act (P-8139)
68 III. Adm. Code 1320 Optometric Practice Act of 1987 (P-6729)
68 III. Adm. Code 1240 Private Detective, Private Alarm & Private Security Act of 1983 (P-15775/92; A-1579)

68 III. Adm. Code 1430 Public Accounting Act (Professional Conduct) (P-4141)

68 III. Adm. Code 1455 Real Estate Appraiser Certification (P-15785/92; A-1589) (P-6612) (E-6668)

68 III. Adm. Code 1480 Structural Engineering Licensing Act of 1989, The (P-4149; A-11162)

PUBLIC AID, DEPARTMENT OF

89 III. Adm. Code 112 Aid to Families With Dependent Children (P-46) (P-3335/92; A-357) (P-13381/92; A-813) (P-14522/92; A-813) (P-15277/92; A-2253) (P-18216/92; A-4312) (P-5436) (P-6026) (E-6325) (P-19642/92; A-6792) (P-7745) (P-10705)

89 III. Adm. Code 113 Aid to the Aged, Blind or Disabled (P-702; A-6804) (P-13383/92; A-827) (P-14999/92; A-2263) (P-14533/92; A-3202) (P-17047/92; A-4322) (P-17457/92; P-6804) (P-7755)

89 III. Adm. Code 110 Application Process (P-13207/92; A-640)

89 III. Adm. Code 111 Assistance Standards (P-16491/92; A-3213)

89 III. Adm. Code 160 Child Support Enforcement (P-8892/92; A-2272) (P-3820)

89 III. Adm. Code 165 Collections & Recoveries (P-2110; A-8187) (P-6614)

89 III. Adm. Code 116 Crisis Assistance (P-13764/92; A-1078)

89 III. Adm. Code 170 Demonstration Programs (P-10736)

89 III. Adm. Code 144 Developmental Disabilities Service (P-899; A-8478) (P-2477; A-11480)

89 III. Adm. Code 149 Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (P-14535/92; A-3217) (P-9829)

89 III. Adm. Code 121 Food Stamps (P-13385/92; A-644) (P-15813/92; A-4333) (P-7165)

89 III. Adm. Code 114 General Assistance (P-13395/92; A-1091) (P-15008/92; A-2277)

89 III. Adm. Code 148 Hospital Services (P-10868/92; A-131) (P-14540/92; A-3296) (P-12826/92; RC-6549; A-6649) (P-6935) (P-9840)

ILLINOIS REGISTER		JULY 23, 1993	
CUMULATIVE INDEX		CUMULATIVE INDEX	
Vol. 17, Issue #30		Vol. 17, Issue #30	
PUBLIC AID, DEPARTMENT OF (CONT'D)			
89 III. Adm. Code 120	Medical Assistance Programs (P-711; A-6827) (P-14544/92; A-1102) (P-2114; A-10402)	77 III. Adm. Code 390	PUBLIC HEALTH, DEPARTMENT OF (CONT'D) Long-Term Care for Under Age 22 Facilities Code (P-1296) (E-2390) (P-6044) (E-7974) (P-10171)
89 III. Adm. Code 140	Medical Payment (P-62; A-6839) (P-13211/92; A-837) (P-7576/92; A-1112) (P-13397/92; O-1241; R-2436; A-2290; F-3058) (P-15296/92; A-2951) (P-15019/92; A-3421) (P-12838/92; A-19146/92; RQ-4517; EC-7078) (P-17049/92; A-6196) (P-16495/92; A-6196) (P-17956/92; A-6196) (P-17461/92; A-6839) (P-19665/92; A-6839) (P-17209/92; A-7004) (P-7183) (E-11201) (P-10749)	77 III. Adm. Code 785	Manufactured Dairy Products (P-920)
89 III. Adm. Code 104	Practice in Administrative Hearings (P-540; A-7025) (E-659)	77 III. Adm. Code 630	Maternal & Child Health Services Code (P-8103/92; A-3013) (P-3069)
89 III. Adm. Code 147	Reimbursement for Nursing Costs for Geriatric Facilities (P-13215/92; A-1128) (P-1716; A-8486) (P-5471)	77 III. Adm. Code 370	Minimum Standards for the Licensure of Community Living Facilities (P-8793) (E-9117)
89 III. Adm. Code 117	Related Program Provisions (P-2126; A-8191) (E-2368)	77 III. Adm. Code 661	Newborn Metabolic Screening & Treatment Code (P-757)
89 III. Adm. Code 118	Special Eligibility Groups (E-11217) (P-10751)	68 III. Adm. Code 750	Plumbers Licensing Code (P-15056/92; A-417)
89 III. Adm. Code 103	Support Responsibility of Relatives (P-14178/92; A-655)	77 III. Adm. Code 593	Podiatric Scholarship & Residency Programs Code (P-11352)
PUBLIC COUNSEL, OFFICE OF THE			
4 III. Adm. Code 1075	Americans With Disabilities Act Grievance Procedure (P-14182/92; A-142)	77 III. Adm. Code 845	Prevention of Lead Poisoning (P-12314/92; O-1243)
PUBLIC HEALTH, DEPARTMENT OF			
77 III. Adm. Code 697	AIDS Confidentiality & Testing Code (E-1204) (P-2687)	77 III. Adm. Code 330	Sheltered Care Facilities Code (P-1321) (E-2405) (E-6059) (E-8000) (P-10198) (E-8026) (P-10225)
77 III. Adm. Code 205	Ambulatory Surgical Treatment Center Licensing Requirements (P-3426/92; A-3507)	77 III. Adm. Code 300	Skilled Nursing & Intermediate Care Facilities Code (P-1346) (E-2420) (P-6074) (E-8026) (P-10225)
77 III. Adm. Code 665	Child Health Examination Code (P-2697)	77 III. Adm. Code 270	Subacute Care Hospital Demonstration Program Code (P-9654)
77 III. Adm. Code 694	College Immunization Code (P-13414/92; A-2306)	PUBLIC HEALTH, DEPARTMENT OF/HEALTH FACILITIES PLANNING BOARD	
77 III. Adm. Code 693	Control of Sexually Transmissible Diseases Code (E-1213) (P-2711)	77 III. Adm. Code 1230	Financial & Economic Feasibility Review & Evaluation Plan (PR-5187/92; AR-5878)
77 III. Adm. Code 900	Drinking Water Standards (P-10870/92; A-4388)	77 III. Adm. Code 1240	Financial & Economic Feasibility Review & Evaluation Plan (For All Long-Term Care & Chronic Disease Facilities (PR-5225/92; AR-5880)
77 III. Adm. Code 535	Emergency Medical Services Code (P-10911/92; A-8196)	77 III. Adm. Code 1235	Health Care Worker Self-Referral (E-432) (P-683)
77 III. Adm. Code 750	Food Service Sanitation Code (P-723)	77 III. Adm. Code 1120	Health Facilities Planning Financial & Economic Feasibility Review (P-5205/92; RC-1244; A-4431)
77 III. Adm. Code 775	Grade A Pasteurized Milk & Milk Products (P-906)	77 III. Adm. Code 1130	Health Facilities Planning Procedural Rules (P-15321/92; A-4448)(P-4755/92; O-1242; R-5951; A-5882)
77 III. Adm. Code 1235	Health Care Worker Self-Referral (P-683; A-8498)	77 III. Adm. Code 1100	Narrative & Planning Policies (P-8144)
77 III. Adm. Code 1130	Health Facilities Planning Procedural Rules (P-4755/92; O-1242)	77 III. Adm. Code 1110	Processing, Classification Policies & Review Criteria (P-15328/92; A-4453) (P-8149)
77 III. Adm. Code 682	Hearing Aid Consumer Protection Code (P-13428/92; A-8825)	RACING BOARD, ILLINOIS	
77 III. Adm. Code 250	Hospital Licensure Requirements (P-2016/92; A-1614)	11 III. Adm. Code 1428	Admissions & Credentials (P-3593; O-10011) (E-3683; O-6550; RC-10012)
77 III. Adm. Code 790	III. Drug Formulary for the Drug Product Selection Program (P-17496/92; W-7075) (P-7198) (E-7283)	11 III. Adm. Code 510	Claiming Races (P-4155) (P-6746)
77 III. Adm. Code 840	III. Health & Hazardous Substances Registry (P-4329/92; A-2319)	11 III. Adm. Code 1413	Entries, Subscriptions & Declarations (P-13218/92; A-1628)
77 III. Adm. Code 245	III. Home Health Agency Code (P-747)	11 III. Adm. Code 1411	Jockeys, Apprentices, Jockey Agents, & Valets (P-1372)
77 III. Adm. Code 540	III. Trauma Center Code (P-15023/92; A-8258)	11 III. Adm. Code 502	Licensing (P-11367)
77 III. Adm. Code 915	III. Water Well & Pump Installation Contractor's License Code, The (P-10989/92; A-4425)	11 III. Adm. Code 509	Medication (P-6955/92; A-3649)
77 III. Adm. Code 695	Immunization Code (P-13472/92; A-2975)	11 III. Adm. Code 1409	Ownership, Partnership & Stable Name (P-4158)
77 III. Adm. Code 350	Intermediate Care for the Developmentally Disabled Facilities Code (P-4791/92; A-2351) (P-1269) (E-2373) (P-6028) (E-7948) (P-8781) (E-9105) (P-10144)	11 III. Adm. Code 1305	Racetrack Operators & Their Duties (P-2439/92; A-3034)
77 III. Adm. Code 845	Lead Poisoning Prevention Code (P-12314/92; O-1243; M-2073; A-1884)	11 III. Adm. Code 1424	Regulations for Meetings (P-12133/92; A-3038)
77 III. Adm. Code 395	Long-Term Care Assistants & Aides Training Programs Code (P-8066/92; O A-2984)	11 III. Adm. Code 205	Rules of Practice (P-3594) (E-6859; O-8085)
		11 III. Adm. Code 1402	Stewards (P-11372)
		11 III. Adm. Code 1303	Violations (P-1728)
		REHABILITATIONS SERVICES, DEPARTMENT OF	
		89 III. Adm. Code 515	Advisory Councils (P-11378) (E-11589)
		4 III. Adm. Code 300	Americans With Disabilities Act Grievance Procedure (A-15102/92; CC-1673)
		89 III. Adm. Code 510	Appeals & Hearings (P-11380) (E-11608)

REHABILITATIONS SERVICES, DEPARTMENT OF (CONT'D)					
89 III. Adm. Code 557	Application (P-11382) (E-11652)				
89 III. Adm. Code 553	Assessment for Determining Eligibility & Rehabilitation Needs (P-11384) (E-11657)				
89 III. Adm. Code 897	Assistive Technology for Persons with Disabilities Tax Check Off Fund (E-6886)				
89 III. Adm. Code 540	Auxiliary Aids (P-20088/92; A-6244) (PR-11386) (ER-11667)				
89 III. Adm. Code 708	Case Transfers/Referrals (P-9852) (E-10003)				
89 III. Adm. Code 562	Client Financial Participation (P-14189/92; A-3895) (P-11388) (E-11676)				
89 III. Adm. Code 680	Client Responsibilities (P-943)				
89 III. Adm. Code 617	Closure (P-11390) (E-11686)				
89 III. Adm. Code 567	Comparable Benefits (P-10403/92; A-149) (P-11392) (E-11696)				
89 III. Adm. Code 505	Confidentiality of Information (P-1731; A-9964)				
89 III. Adm. Code 530	Criteria for the Evaluation of Programs of Services in Community Rehabilitation Programs (P-11394) (E-11701)				
89 III. Adm. Code 552	Eligibility (PR-11396) (ER-11733)				
89 III. Adm. Code 525	Grants & Contracts (P-947; A-9980)				
89 III. Adm. Code 730	III. Center for Rehabilitation & Education/Community Residential Services for the Blind & Visually Impaired (P-11398) (E-11745)				
89 III. Adm. Code 730	III. Visually Handicapped Institute (P-10397/92; A-425)				
89 III. Adm. Code 1177	Impartial Hearing Officer Standards (P-11400) (E-11766)				
89 III. Adm. Code 572	Individualized Written Rehabilitation Program (IWRP) (P-11402) (E-11770)				
89 III. Adm. Code 602	Maintenance (PR-11404) (ER-11780)				
89 III. Adm. Code 587	Medical, Psychological, & Related Services (P-952; W-3686) (PR-11406) (ER-11784)				
89 III. Adm. Code 830	Non-Academic Programs & Policies (P-18759/92; A-6248)				
89 III. Adm. Code 685	Non-Financial Eligibility (P-18947/92; A-6256)				
89 III. Adm. Code 680	Other Client Responsibilities (P-943; A-7230)				
89 III. Adm. Code 607	Other Services (PR-11408) (ER-11796)				
89 III. Adm. Code 612	Placement (PR-11410) (ER-11801)				
89 III. Adm. Code 622	Post-Employment Services (PR-11412) (ER-11804)				
89 III. Adm. Code 690	Prescreening & Eligibility Determination Processes (P-15065/92; A-7675)				
89 III. Adm. Code 827	Rules of Conduct (P-77; A-6260)				
89 III. Adm. Code 657	Secondary Transitional Experience (PR-11414) (ER-11808)				
89 III. Adm. Code 590	Services (P-11416) (E-11812)				
89 III. Adm. Code 597	Tools, Equipment, Supplies & Initial Stock (PR-11420) (ER-11856)				
89 III. Adm. Code 592	Training Services (P-1375; W-3687) (PR-11422) (ER-11864)				
RETIREMENT SYSTEM OF THE STATE OF ILLINOIS, TEACHERS'					
80 III. Adm. Code 1650	Administration & Operation of the Teachers' Retirement System (P-12384/92; A-1631)				
REVENUE, DEPARTMENT OF					
86 III. Adm. Code 210	Board of Appeals (E-665) (P-2718; C-3545; A-8860)				
86 III. Adm. Code 105	Electronic Filing of Ill. Individual Income Tax Returns (P-219; A-7031) (E-445) (P-9854)				
86 III. Adm. Code 100	Income Tax (P-222; A-8869) (E-473) (P-6619) (P-6945) (P-9870)				
86 III. Adm. Code 535	Nursing Home Grant Assistance Act (P-15340/92; A-3042)				
86 III. Adm. Code 750	Payment of Taxes by Electronic Funds Transfer (P-8450)				
REVENUE, DEPARTMENT OF (CONT'D)					
86 III. Adm. Code 110	Property Tax/Revenue Act of 1939 (P-2507)				
2 III. Adm. Code 1200	Public Information, Rulemaking & Organization (A-7054)				
86 III. Adm. Code 130	Retailers' Occupation Tax (P-14554/92; A-860) (P-6955) (P-8461)				
86 III. Adm. Code 3000	Riverboat Gambling (P-51/92; A-11510)				
86 III. Adm. Code 530	Senior Citizens & Disabled Persons Property Tax Relief & Pharmaceutical Assistance Act (P-3104; A-11566)				
86 III. Adm. Code 150	Use Tax (P-14563/92; A-1947)				
SAVINGS AND LOAN ASSOCIATIONS, COMMISSIONER OF					
38 III. Adm. Code 450	Residential Mortgage License Act of 1987 (P-17570/92; A-3513)				
SAVINGS AND RESIDENTIAL FINANCE, COMMISSIONER OF					
38 III. Adm. Code 1000	III. Savings & Loan Act of 1985 (Recodified) (A-4464)				
38 III. Adm. Code 1050	Residential Mortgage License Act of 1987 (Recodified) (A-4475)				
38 III. Adm. Code 1075	Savings Bank Act (P-2727; A-8894; RQ-11873)				
SECRETARY OF STATE					
14 III. Adm. Code 150	Business Corporation Act (P-4167; A-11571)				
92 III. Adm. Code 1040	Cancellation, Revocation or Suspension of Licenses or Permits (P-1747; A-8512) (P-2128) (P-2856; A-9028)				
80 III. Adm. Code 420	Department of Personnel (P-15342/92; A-1652)				
23 III. Adm. Code 3030	III. Library System Act (P-9678) (E-9725)				
92 III. Adm. Code 1070	III. Safety Responsibility Law (P-2863; A-8517)				
92 III. Adm. Code 1030	Issuance of Licenses (P-956; A-8275) (E-1219) (P-1752; A-8522) (P-17229/92; A-2025) (P-12138/92; A-7065)				
23 III. Adm. Code 3040	Literacy Grant Program (P-958; A-7234)				
92 III. Adm. Code 1001	Procedures & Standards (1758; A-8528) (E-2047) (P-19761/92; A-6274)				
2 III. Adm. Code 550	Public Information, Rulemaking, & Organization (A-9986)				
14 III. Adm. Code 170	Revised Uniform Limited Partnership Act (P-13784/92; A-427)				
1 III. Adm. Code 100	Rulemaking (P-2867; A-10414)				
SPACE NEEDS COMMISSION					
3 III. Adm. Code 800	Placement of Monuments, Memorials & Statues on the Capitol Building Grounds (P-15828/92; A-6513)				
3 III. Adm. Code 850	Space Utilization in the Capitol Complex (P-15832/92; A-6517)				
STATE POLICE, DEPARTMENT OF					
20 III. Adm. Code 1230	Firearm Owner's Identification Act (P-7768)				
STATE POLICE MERIT BOARD					
80 III. Adm. Code 150	Procedures of the Department of State Police Merit Board (E-17372/92; RC-181; F-5952) (P-17959/92; A-9716; RQ-11895)				
STUDENT ASSISTANCE COMMISSION, ILLINOIS					
23 III. Adm. Code 2731	Correctional Officer's Grant Program (P-1381)				
23 III. Adm. Code 2720	Federal Family Education Loan Program (FFELP) (P-1403; A-10506)				

ILLINOIS REGISTER
CUMULATIVE INDEX
July 23, 1993

Vol. 17, Issue #30

STUDENT ASSISTANCE COMMISSION, ILLINOIS (CONT'D)
General Provisions (P-1385; A-10541)
Grant Program for Dependents of Correctional Officers (P-1381; A-10559)
Guaranteed Loan Programs (P-1403) (E-2055)
III. National Guard Grant Program (P-1437; A-10563)
III. Veteran Grant (IVG) Program (P-1444; A-10570)
III. National Guard Grant Program (P-1437; A-10563)
Merit Recognition Scholarship (MRS) Program (P-1453; A-10579)
Minority Teachers of III. (MTT) Scholarship Program (E-175) (P-1459; A-10585)
Monetary Award Program (P-1470; A-10596) (E-6672) (P-10252)
Paul Douglas Teacher Scholarship Program (P-1484; A-10611)
Police Officer/Fire Officer Grant Program (P-1493; A-10620)
State Scholar Program (P-1497; A-10624)
Student to Student (STS) Program of Matching Grants (P-1505; A-10632)

TOLL HIGHWAY AUTHORITY, ILLINOIS STATE

92 III. Adm. Code 2520 State Toll Highway Rules (PR-566; AR-8536)
92 III. Adm. Code 2520 State Toll Highway Rules (P-542; A-8539)

TRANSPORTATION, DEPARTMENT OF

4 III. Adm. Code 750 Americans With Disabilities Act Grievance Procedure (A-11418/92; CC-1673)
92 III. Adm. Code 700 Construction in Floodways of Rivers, Lakes & Streams (P-17235/92; A-4484)
92 III. Adm. Code 522 Control of Outdoor Advertising Adjacent to Primary & Interstate Highways (P-981; A-7258)
Disadvantaged, Minority & Woman-Owned Businesses (P-6418)
Minimum Safety Standards for Construction of Type I School Buses (P-15835/92; A-3530)
Minimum Safety Standards for Construction of Type II School Buses (P-15845/92; A-3540)
92 III. Adm. Code 67 Morris Municipal Airport Hazard Zoning (P-1767; A-9035)
92 III. Adm. Code 704 Regulation of Public Waters (P-17244/92; A-4494)
92 III. Adm. Code 77 Scott Joint-Use Airport Hazard Zoning (P-1789; A-9057)
92 III. Adm. Code 453 Specifications for Seat Safety Belts (P-2186; A-8563)
92 III. Adm. Code 451 Vehicle Inspections (P-3110)

TREASURER

4 III. Adm. Code 350 Americans With Disabilities Act Grievance Procedure (P-5582; A-9994)
80 III. Adm. Code 630 Conditions of Employment (P-6632)
74 III. Adm. Code 750 Home Ownership Made Easy Act (PR-762; A-9079) (P-777; A-9081)
74 III. Adm. Code 740 III. Public Treasurers' Investment Pool for Public Treasurers in the State of III. (P-585; A-6663)
80 III. Adm. Code 620 Merit & Fitness (P-91; W-869) (P-11724/92; W-869) (P-12409/92; W-869) (P-15347/92; A-4510)
80 III. Adm. Code 650 Rules of the Personnel Review Board (P-6635)
74 III. Adm. Code 730 Smart Money Program Confidentiality Requirements (PP-1671; O-3057) (P-3831; A-9999)

ILLINOIS REGISTER
CUMULATIVE INDEX
July 23, 1993

Vol. 17, Issue #30

UNIVERSITY OF ILLINOIS, BOARD OF TRUSTEES OF THE
89 III. Adm. Code 1200 Program Content & Guidelines for Division of Specialized Care for Children (P-15354/92; A-1137) (P-7780) (E-8052; W-8318) (E-9735)

VETERANS' AFFAIRS, DEPARTMENT OF

4 III. Adm. Code 325 Americans With Disabilities Act Grievance Procedure (A-8565/92; CC-1673)

PUBLIC HEARINGS

CARNIVAL-AMUSEMENT SAFETY BOARD

Carnival & Amusement Ride Inspection Law; 56 III. Adm. Code 6000 4519

EDUCATION, STATE BOARD OF

Public Schools Evaluation, Recognition & Supervision; 23 III. Adm. Code 1 10638

ENVIRONMENTAL PROTECTION AGENCY

Payment of Claims from the Underground Storage Tank Fund; 35 III. Adm. Code 876 681

FINANCIAL INSTITUTIONS, DEPARTMENT OF

III. Credit Union Act; 38 III. Adm. Code 190 7560

PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD, DEPARTMENT OF

Narrative & Planning Policies; 77 III. Adm. Code 1100 10639
Processing, Classification Policies & Review Criteria; 77 III. Adm. Code 1110 10640

REVENUE, DEPARTMENT OF

Income Tax; 86 III. Adm. Code 100 10014

PUBLIC INFORMATION

BANKS & TRUST COMPANIES, COMMISSIONER OF

Notice of Acceptance of an Application by CNB Bancshares, Inc., Evansville, Indiana, to Acquire South Central Ill. Bancorp. Inc., Effingham, Ill. 2079
Notice of Acceptance of an Application by First of America Bank Corporation, Kalamazoo, Michigan, to Acquire Kewanee Investing Company, Inc., Kewanee, Ill. 2080
Notice of Acceptance of an Application by Mercantile Bancorporation, Inc., St. Louis, Missouri, to Acquire First National Bank of Flora, Ill. 2081
Notice of Acceptance of an Application for AMBANC Corp., Vincennes, Indiana, to Acquire Farmers' State Bank of Palestine, Palestine, Ill. 3557
Notice of Acceptance of an Application by Mercantile Bancorporation Inc., St. Louis, Missouri, to Acquire Mt. Vernon Bancorp, Inc., Mt. Vernon, Ill. 10641

EDUCATION, STATE BOARD OF

State Plan for Fiscal Years 1993-95, Amendment 2082

ENVIRONMENTAL PROTECTION AGENCY

- Listing of Derived Water Quality Criteria
Listing of Derived Water Quality Criteria
Listing of Derived Water Quality Criteria

FINANCIAL INSTITUTIONS, DEPARTMENT OF

Notice of Names of Persons Appearing to be Owners of Unclaimed Property Whose Last Known Addresses are in Certain States 6335

LABOR, DEPARTMENT OF

List of Contractors Prohibited From An Award Of A Contract Or A Subcontract For Public Works Projects

LOTTERY, DEPARTMENT OF THE

List of Game-Specific Materials Published by the Lottery in 1992

POLLUTION CONTROL BOARD

- Notice Pursuant to Ill. Rev. Stat. 1991, Ch. 111 1/2, Par. 1007.2(b)
872
Notice Pursuant to 415 ILCS 5/7.2(b) Contingency Plan Rules Pursuant to Section 22.7
6364
Notice Pursuant to Ill. Rev. Stat. 1991, Ch. 111 1/2, Par. 1007.2(b)
874
Notice Pursuant to Ill. Rev. Stat. 1991, Ch. 111 1/2, Par. 1007.2(b)
877
RCRA Rules Pursuant to Section 22.4(a)
7081
Notice Pursuant to Ill. Rev. Stat. 1991, Ch. 111 1/2, Par. 1007.2(b)
11222
Notice Pursuant to Ill. Rev. Stat. 1991, Ch. 111 1/2, Par. 1007.2(b)

REVENUE. DEPARTMENT OF

- | | |
|--|-------|
| Index of Letter Rulings (Third Quarter of 1992) (Income Tax) | 3558 |
| Index of Letter Rulings (4th Quarter 1992) (ROT) | 6552 |
| Index of Letter Rulings (4th Quarter 1992) (Income Tax) | 6579 |
| Index of Letter Rulings (1st Quarter 1993) (Income Tax) | 7082 |
| Index of Letter Rulings (1st Quarter 1993) (ROT) | 11908 |

REGULATORY AGENDA

REVENUE. DEPARTMENT OF

Retailers' Occupation Tax Act: 86 Ill. Adm. Code 130

REGULATORY FLEXIBILITY ANALYSIS

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

Notice of Regulatory Flexibility Impact Analysis

1675, 3911, 6677, 6894, 7094, 8088, 8566, 10017, 10018, 10019, 10020, 11224, 11225, 11226, 11930

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

- | | |
|---|-------|
| Agenda for Meeting of January 12, 1993 | 510 |
| Agenda for Meeting of February 17, 1993 | 1676 |
| Agenda for Meeting of March 9, 1993 | |
| Agenda for Meeting of April 13, 1993 | 5953 |
| Agenda for Meeting of May 11, 1993 | 6895 |
| Agenda for Meeting of June 15, 1993 | 8567 |
| Agenda for Meeting of July 20, 1993 | 11227 |

SECOND NOTICES RECEIVED

- 182, 517, 682, 878, 1245, 1682, 2096, 2442, 2520, 3065, 3566, 3690, 3912, 4520, 5958, 6366, 6551, 6678, 6901, 7095, 7561, 8086, 8319, 8577, 9154, 9754, 10021, 10642, 11233, 11931

NOTICES PURSUANT TO P.A. 87-823

ABANDONED MINED LANDS RECLAMATION COUNCIL

- | | |
|--|-------|
| Abandoned Mined Lands Reclamation; 62 Ill. Adm. Code 2501 | 11932 |
| Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1500 | 11933 |
| Selection of Contractors & Consultants; 44 Ill. Adm. Code 1150 | 11934 |

AGING, DEPARTMENT ON

- Access to Information of the Department on Aging; 2 Ill. Adm. Code 726
Community Care Program; 89 Ill. Adm. Code 240
Introduction; 89 Ill. Adm. Code 210
Older Americans Act Programs; 89 Ill. Adm. Code 230
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 725

AGRICULTURE. DEPARTMENT OF

- Anhydrous Ammonia, Low Pressure Nitrogen Solutions, Equipment, Containers, & Storage Facilities; 8 III. Adm. Code 215
- Civil Administrative Code, Subpart A, Procedure for the Collection, Control & Distribution of Surety Bonds Received by the Director of the Ill. Department of Agriculture Acting as Trustee on Behalf of the Claimants; 8 III. Adm. Code 3
- Egg & Egg Products Act; 8 III. Adm. Code 65
- Fairs Operating Under the Agricultural Fair Act; 8 III. Adm. Code 260
- Grain Insurance Act; 8 III. Adm. Code 285
- Hatcheries, Poultry Flocks, & Produce Thereof; 8 III. Adm. Code 55
- Humane Care For Animals Act; 8 III. Adm. Code 35
- Ill. Fertilizer Act of 1961; 8 III. Adm. Code 210
- Ill. State Fair & DuQuoin State Fair, Non-Fair Space Rental & the General Operation of the State Fairgrounds; 8 III. Adm. Code 270
- Insect Pest & Plant Disease Act; 8 III. Adm. Code 240
- Meat & Poultry Inspection Act; 8 III. Adm. Code 125

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF (CONT'D)	
Service Delivery System & State Responsibilities; 56 Ill. Adm. Code 2600	10025
State Administration of the Federal Community Services Block Grant Program; 47 Ill. Adm. Code 10026	
Training Services for the Disadvantaged; 56 Ill. Adm. Code 2610	10027
COMMERCE COMMISSION, ILLINOIS	
Access to Information; 2 Ill. Adm. Code 1701	9125
Least-Cost Planning for Electric Utilities; 83 Ill. Adm. Code 440	9126
Least-Cost Planning for Natural Gas Utilities; 83 Ill. Adm. Code 535	9127
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1700	9128
Rules of Practice; 83 Ill. Adm. Code 200	9129
COMMUNITY COLLEGE BOARD, ILLINOIS	
Public Access to Information; 2 Ill. Adm. Code 5176	6903
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5175	6904
COMPTROLLER	
Access to Information; 2 Ill. Adm. Code 625	11237
Merit Commission rules; 80 Ill. Adm. Code 100	11238
Personnel Rules; 80 Ill. Adm. Code 500	11239
Rules of Practice in Administrative Hearings; 74 Ill. Adm. Code 310	11240
CONSERVATION, DEPARTMENT OF	
Dept. Formal Hearings Conducted for Rulemaking & Contested Cases; 17 Ill. Adm. Code 2530	8089
Non-Departmental Archaeological Research on Dept. of Conservation Managed Lands; 17 Ill. Adm. Code 390	8090
Protection & Archaeological Resources; 17 Ill. Adm. Code 370	8091
Rulemaking & Organization; 2 Ill. Adm. Code 825	8092
CORRECTIONS, DEPARTMENT OF	
Americans With Disabilities Act Grievance Procedure; 4 Ill. Adm. Code 475	10028
Freedom of Information; 2 Ill. Adm. Code 851	10029
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 850	10030
CRIMINAL JUSTICE INFORMATION AUTHORITY, ILLINOIS	
Operating Procedure for the Administration of Federal Funds; 20 Ill. Adm. Code 1520	11937
EAST ST. LOUIS COMMUNITY COLLEGE, BOARD OF TRUSTEES OF	
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5100	11938
State Community College of East St. Louis; 23 Ill. Adm. Code 1600	11939
EDUCATION, STATE BOARD OF	
Access to Information of the State Board of Education Under the Freedom of Information Act; 2 Ill. Adm. Code 5001	9130
Contested Cases & Other Formal Hearings; 23 Ill. Adm. Code 475	9131

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

AGRICULTURE, DEPARTMENT OF (CONT'D)	
Organizational Chart, Description, Rulemaking Procedure, & Programs; 2 Ill. Adm. Code 700	7573
Pesticide Act of 1979; 8 Ill. Adm. Code 250	7576
Public Grain Warehouse & Warehouse Receipts Act; 8 Ill. Adm. Code 505	7577
Refrigerated Warehouses Act; 8 Ill. Adm. Code 515	7578
Soil & Water Conservation Districts Act; 8 Ill. Adm. Code 650	7579
Water Use Act of 1983; 8 Ill. Adm. Code 675	7580
ATTORNEY GENERAL	
Compliance With the Freedom of Information Act; 2 Ill. Adm. Code 576	11935
Rulemaking & Organization; 2 Ill. Adm. Code 575	11936
AUDITOR GENERAL, OFFICE OF THE	
Code of Rules; 74 Ill. Adm. Code 440	10649
Freedom of Information; 2 Ill. Adm. Code 601	10650
Post Audit Guidelines; 74 Ill. Adm. Code 470	10651
Public Information, Rulemaking & Organization & Personnel; 2 Ill. Adm. Code 600	10652
BANKS AND TRUST COMPANIES, COMMISSIONER OF	
Hearings Before the Commissioner of Banks & Trust Companies; 38 Ill. Adm. Code 392	9756
Hearings for Removal of Directors, Officers, Employees or Agents of a State Bank; 38 Ill. Adm. Code 900	9757
Loan Agreements Providing for a Bank to Share in Profits, Income or Earnings; 38 Ill. Adm. Code 350	9758
Powers Incidental & Germane to Carrying on a General Banking Business; 38 Ill. Adm. Code 320	9759
CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF	
Access to Information; 2 Ill. Adm. Code 751	8579
General Provisions; 80 Ill. Adm. Code 304	8580
Public Information; 2 Ill. Adm. Code 750	8581
Standard Procurement; 44 Ill. Adm. Code 1	8582
State of Ill. Medical Care Assistance Plan; 80 Ill. Adm. Code 2120	8583
State of Ill. Premium Payment Plan; 80 Ill. Adm. Code 2100	8584
CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	
Licensing Enforcement; 89 Ill. Adm. Code 383	11235
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 775	11236
COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF	
Low Income Home Energy Assistance Program; 47 Ill. Adm. Code 100	10022
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 800	10023
Review & Appeal Procedures; 47 Ill. Adm. Code 10	10024

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

EDUCATION, STATE BOARD OF (CONT'D)	
Driver Education; 23 Ill. Adm. Code 252	9132
Health Examinations & Immunizations; 23 Ill. Adm. Code 625	9133
Hearings Before the State Teacher Certification Board; 23 Ill. Adm. Code 480	9134
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5000	9135
Vocational Education; 23 Ill. Adm. Code 254	9136
EDUCATIONAL FACILITIES AUTHORITY, ILLINOIS	
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5200	9760
EMPLOYMENT SECURITY, DEPARTMENT OF	
Administrative Hearings & Appeals; 56 Ill. Adm. Code 2725	9137
Freedom of Information; 2 Ill. Adm. Code 1301	10031
General Provisions; 56 Ill. Adm. Code 2960	9138
ENVIRONMENTAL PROTECTION AGENCY	
Procedures for Contested Care Hearings; 35 Ill. Adm. Code 168	8321
Procedures for Informational & Quasi-Legislative Public Hearings; 35 Ill. Adm. Code 164	8322
Procedures for Permit & Closure Plan Hearings; 35 Ill. Adm. Code 166	8323
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1825	8324
Technical Policy Statements; 35 Ill. Adm. Code 653	11940
ETHICS, BOARD OF	
Freedom of Information; 2 Ill. Adm. Code 1601	8093
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1600	8094
FARM DEVELOPMENT AUTHORITY, ILLINOIS	
Ill. Farm Development Authority; 8 Ill. Adm. Code 1400	11241
FINANCIAL INSTITUTIONS, DEPARTMENT OF	
Consumer Installment Loan Act; 83 Ill. Adm. Code 110	7100
Financial Institutions Code; 38 Ill. Adm. Code 200	7101
Formulation & Issuance of Schedules of Maximum Rates for Check Cashing & the Writing of Money Orders of Community & Ambulatory Currency Exchanges, The; 38 Ill. Adm. Code 125	7102
Schedules of Maximum Rates to be Charged for Check Cashing & Writing of Money Orders by Community & Ambulatory Currency Exchanges; 38 Ill. Adm. Code 130	7103
Title Insurance Act; 50 Ill. Adm. Code 8100	7104
GOVERNOR'S PURCHASED CARE REVIEW BOARD	
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1850	7581
GUARDIANSHIP AND ADVOCACY COMMISSION	
Fee Schedule for the Office of the State Guardian; 59 Ill. Adm. Code 301	8585
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1875	8586

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

HIGHER EDUCATION, BOARD OF	
Access to Public Information; 2 Ill. Adm. Code 5051	7582
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5050	7583
HUMAN RIGHTS, DEPARTMENT OF	
Access to Information; 2 Ill. Adm. Code 926	10653
Procedural; 56 Ill. Adm. Code 2520	10654
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 925	10655
INDUSTRIAL COMMISSION, ILLINOIS	
Freedom of Information Act; 2 Ill. Adm. Code 2026	10032
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 2025	10033
JOINT COMMITTEE ON ADMINISTRATIVE RULES	
Complaint Review; 1 Ill. Adm. Code 260	5960
Expedited Corrections; 1 Ill. Adm. Code 245	5962
Five-Year Evaluation of All Existing Rules; 1 Ill. Adm. Code 250	5964
General Policies; 1 Ill. Adm. Code 210	5965
Hearing Procedures; 80 Ill. Adm. Code 1105	11941
Public Information, Rulemaking, Organization & Personnel; 2 Ill. Adm. Code 1675	11942
Review of Emergency Rulemaking; 1 Ill. Adm. Code 230	5967
Review of Peremptory Rulemaking; 1 Ill. Adm. Code 240	5969
Review of Proposed Rulemaking; 1 Ill. Adm. Code 220	5971
Unfair Labor Practice Procedures; 80 Ill. Adm. Code 1120	11943
JUDGES RETIREMENT SYSTEM	
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 325	8325
LEGISLATIVE INFORMATION SYSTEM	
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 150	10656
LEGISLATIVE REFERENCE BUREAU	
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 200	8326
LEGISLATIVE TRAVEL CONTROL BOARD	
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 225	8387
LIQUOR CONTROL COMMISSION	
Ill. Liquor Control Commission, The; 11 Ill. Adm. Code 100	8095
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 2075	8096
LOTTERY, DEPARTMENT OF THE	
Hearing Rules (Transferred); 11 Ill. Adm. Code 1600	7584
Hearings; 11 Ill. Adm. Code 1700	7585
Lottery (General); 11 Ill. Adm. Code 1770	7586

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

PUBLIC AID, DEPARTMENT OF	8327
Freedom of Information; 2 Ill. Adm. Code 1101	8328
Practice in Administrative Hearings; 89 Ill. Adm. Code 104	8329
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1100	
PUBLIC COUNSEL, OFFICE OF THE	8590
Freedom of Information; 2 Ill. Adm. Code 2701	8591
Organization, Rulemaking & Public Access; 2 Ill. Adm. Code 2700	
PUBLIC HEALTH, DEPARTMENT OF	11242
Amulatory Surgical Treatment Center Licensing Requirements; 77 Ill. Adm. Code 205	11243
Driver License Medical Advisory Board; 77 Ill. Adm. Code 525	11244
Freedom of Information; 2 Ill. Adm. Code 1126	11245
Grade A Pasteurized Milk & Milk Products; 77 Ill. Adm. Code 775	11246
Ill. Home Health Agency Code; 77 Ill. Adm. Code 245	11247
Preventative Health & Health Services Block Grant Programs; 77 Ill. Adm. Code 960	11248
Public Information, Rulemaking & Organization Code; 2 Ill. Adm. Code 1125	11249
Recreational Area Code; 77 Ill. Adm. Code 800	11250
Regional Perinatal Health Care Code; 77 Ill. Adm. Code 640	
Rules & Regs. to Carry Out Provisions of Titles XVIII & XIX of the Social Security Act Relating to Skilled Nursing & Intermediate Care Facilities; 77 Ill. Adm. Code 420	11251
Rules of Practice & Procedure in Administrative Hearings; 77 Ill. Adm. Code 100	11252
Rules of Practice & Procedure in Administrative Hearings Held Pursuant to Sections 2-110(d) & 3-410 of the Nursing Home Care Reform Act of 1979; 77 Ill. Adm. Code 430	11253
Standards for Approval of Milk Laboratories; 77 Ill. Adm. Code 463	11254
Testing of Breath, Blood & Urine for Alcohol &/or Other Drugs; 77 Ill. Adm. Code 510	11255
WTC Vendor Management Code; 77 Ill. Adm. Code 672	11256
PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD, DEPARTMENT OF	11257
Appropriateness Review; 77 Ill. Adm. Code 1250	11258
Criteria & Procedure for Recognition of Area Wide Health Planning Organizations for Health Facilities Planning; 77 Ill. Adm. Code 1170	11259
Health Facilities Planning Procedural Rules; 77 Ill. Adm. Code 1130	11260
Practice & Procedure in Administrative Hearings; 77 Ill. Adm. Code 1180	11944
Processing, Classification Policies & Review Criteria; 77 Ill. Adm. Code 1110	11261
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1925	
REGENTS, BOARD OF	7105
Joint Rules of the Board of Regents, the Board of Governors of State Colleges & Universities, the Board of Trustees of the University of Ill., & the Board of Trustees of Southern Ill. University: Procurement & Bidding; The; 44 Ill. Adm. Code 525	7106
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5075	

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

LOTTERY, DEPARTMENT OF THE (CONT'D)	7587
Procedural Rules (Deleted); 11 Ill. Adm. Code 1635	
MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF	7588
Family Assistance & Home-Based Support Programs for Persons with Mental Disabilities; 59 Ill. Adm. Code 117	7589
Freedom of Information; 2 Ill. Adm. Code 1026	7590
Medicaid Community Mental Health Services Program; 59 Ill. Adm. Code 132	
Minimum Standards for Certification of Developmental Training Programs; 59 Ill. Adm. Code 119	7591
Minimum Standards for Licensure of Community Residential Alternatives; 59 Ill. Adm. Code 113	7592
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1025	7593
MILITARY AFFAIRS, DEPARTMENT OF	8588
Freedom of Information Procedures; 2 Ill. Adm. Code 1376	8589
Rulemaking Procedures & Department Organization; 2 Ill. Adm. Code 1375	
MINES & MINERALS, DEPARTMENT OF	9139
Freedom of Information Rules; 2 Ill. Adm. Code 1051	9140
Ill. Oil & Gas Act, The; 62 Ill. Adm. Code 240	9141
Ill. Surface Coal Mining Operations; 62 Ill. Adm. Code 280	
NATURES PRESERVES COMMISSION	8097
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 2150	
NUCLEAR SAFETY, DEPARTMENT OF	10034
Administrative Hearings; 32 Ill. Adm. Code 200	10035
Americans With Disabilities Act Grievance Procedure; 4 Ill. Adm. Code 175	10036
Freedom of Information Procedures; 2 Ill. Adm. Code 1076	10037
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1075	
PROFESSIONAL REGULATION, DEPARTMENT OF	7594
Access to Information; 2 Ill. Adm. Code 1326	7595
Clinical Social Work & Social Work Practice Act; 68 Ill. Adm. Code 1470	7596
Funeral Directors and Embalmers Act; 68 Ill. Adm. Code 1250	7597
Medical Practice Act of 1987; 68 Ill. Adm. Code 1285	
Nursing Home Administrators Licensing & Disciplinary Act; 68 Ill. Adm. Code 1310	7598
Optometric Practice Act of 1987; 68 Ill. Adm. Code 1320	7599
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1325	7600
Real Estate License Act of 1983; 68 Ill. Adm. Code 1450	7601
Rules of Practice in Administrative Hearings; 68 Ill. Adm. Code 1110	7602

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

TRANSPORTATION SERVICES, DEPARTMENT OF Access to Public Records; 2 Ill. Adm. Code 1176 Public Information, Rulemaking, Department Organization; 2 Ill. Adm. Code 1175	9142 9143
REVENUE, DEPARTMENT OF Freedom of Information; 2 Ill. Adm. Code 1201 Practice & Procedure for Hearings Before the Ill. Department of Revenue; 86 Ill. Adm. Code 20010039	10038 20010039
SECRETARY OF STATE Business Corporation Act; 14 Ill. Adm. Code 150 Commercial Driver Training Schools; 92 Ill. Adm. Code 1060 Departmental Duties; 2 Ill. Adm. Code 552 Department of Personnel; 80 Ill. Adm. Code 420 Merit Commission; 80 Ill. Adm. Code 50 Merit Commission, Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 555 Freedom of Information; 2 Ill. Adm. Code 551 Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 550 Regs. Under the Ill. Securities Law of 1953; 14 Ill. Adm. Code 130	8330 9761 8331 8332 8592 8593 8333 8334 10040
SOUTHERN ILLINOIS UNIVERSITY, BOARD OF TRUSTEES OF Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5125	8335
STATE COLLEGES AND UNIVERSITIES, BOARD OF GOVERNORS OF Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5025	7107
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 2375	8336
STATE POLICE, DEPARTMENT OF Law Enforcement Agencies Data Systems (LEADS); 20 Ill. Adm. Code 1240	11945
STATE'S ATTORNEYS APPELLATE PROSECUTOR, OFFICE OF THE Freedom of Information (Transferred); 2 Ill. Adm. Code 301 Freedom of Information; 2 Ill. Adm. Code 351 Public Information, Rulemaking & Organization (Transferred); 2 Ill. Adm. Code 300 Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 350	8594 8595 8596 8597
TRANSPORTATION, DEPARTMENT OF Construction & Maintenance of Dams; 92 Ill. Adm. Code 702 Floodway Construction in Northeastern Ill.; 92 Ill. Adm. Code 708 Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1225 Rates To Be Charged By Official Testing Stations For Second Division Vehicles Other Than School Buses; 92 Ill. Adm. Code 454 Request for Public Records; 2 Ill. Adm. Code 1226 Rochelle Municipal Airport Hazard Zoning Regs.; 92 Ill. Adm. Code 76	8337 8338 8339 8340 8341 8342

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

TRANSPORTATION, DEPARTMENT OF (CONT'D) Rulemaking Procedures; 92 Ill. Adm. Code 102	8343
TREASURER, OFFICE OF THE STATE Access to Information; 2 Ill. Adm. Code 651 General Provisions; 80 Ill. Adm. Code 640	7108 7109
UNIVERSITIES CIVIL SERVICES SYSTEM, STATE Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5350	9145
EXECUTIVE ORDERS AND PROCLAMATIONS	
EXECUTIVE ORDERS 92-7 Sexual Harassment in State Agencies 93-1 An Executive Order Reorganizing Divisions Within The Department of State Police 93-2 Executive Order On Implementation Of Task Force's Re-Evaluation Of Illinois Social Service Programs 93-3 Executive Order Creating The Office Of Inspector General At The Department Of Children And Family Services	518 3692 4521 7110
PROCLAMATIONS 92-554 Dave Magee Day 92-555 Robert Beckwith Day 92-556 Arnold Kanter Day 92-557 Florsheim Shoe Company Year 92-558 Afro-American History Month 92-559 American History Month 92-560 Centennial Date For The Village of Cary, Illinois 92-561 Dominican Sisters of Springfield, Illinois Recognized 92-562 Phi Delta Kappa Presentation 92-563 Veterinary Medical Education Week 92-564 Santa's Secretaries Days 92-565 Phil Georgeff Day 92-566 Red Cloud Native American Week 93-001 Autism Week 93-002 George Pradel Day 93-003 Lewis University Year 93-004 School Social Work Week 93-005 Ernest R. Jenkins Day 93-006 Land Surveyors' Month 93-007 Quincy Salvation Army/100th Birthday 93-008 Dr. Martin Luther King Day 93-009 Operation Uplift Day	185 185 186 186 187 187 188 188 189 189 190 524 525 879 879 880 880 881 1247 1247 1247 1248

PROCLAMATIONS (CONT'D)	
93-054 Sarah Siddons Society Day	3573
93-055 Sertoma National Heritage Freedom Week	3574
93-056 Tornado Preparedness Week	3574
93-057 AFS Host Family Recognition Week	3693
93-058 Chronic Fatigue Syndrome Awareness Month	3694
93-059 Estonian Independence Day	3695
93-060 Foreign Language Week	3695
93-061 Hispanic Professional Engineers Days	3696
93-062 Human Services Week	3696
93-063 Illinois State Quartet Convention Week	3696
93-064 Independent Order of Foresters Day	3697
93-065 Jewish Culture Week	3697
93-066 Lioness Caramel Day	3697
93-067 Mt. Sinai Parenting Institute Day	3698
93-068 St. David's Day	3698
93-069 Federal Employee Of The Year Day	3699
93-070 U.S. Savings Bond Campaign Month	3699
93-071 Women's History Month	3700
93-072 Casimir Pulaski Day	3700
93-073 Midwest Area Of The Second Air Division Of The Eighth Air Force, World War II Days	3701
93-074 Denysia Bastas Day	3701
93-075 Dare Night With The Ambush	3913
93-076 U.S. Surgeon General's Hispanic/Latino Health Initiative Days	3913
93-077 Biomedical Equipment Technology Week	3913
93-078 Carthage High School Bluegirls Day	3914
93-079 Industry Appreciation Day	3915
93-080 Metropolitan Pier And Exposition Authority Employee Longevity Day	3915
93-081 Multiple Sclerosis Awareness Day	3916
93-082 La Petite Delta Day	5974
93-083 Mother of the Year Day	5974
93-084 Danube-Swabian Society of Chicago 40th Anniversary Day	5975
93-085 Drinking Water Week	5975
93-086 Illinois Day For Children	5976
93-087 Irish-American Heritage Month and St. Patrick's Day	5976
93-088 Lake and Watershed Management Month	5977
93-089 Professional Security Education Month	5977
93-090 STD Awareness Month	5978
93-091 Doctor's Day	5979
93-092 Eye Donor Awareness Month	5979
93-093 Tony Romano Day	5979
93-094 Tree City USA Month	5980
93-095 American POW Recognition Day	5980
93-096 International Week	5981
93-097 Police-Community Partnership Week	5981
93-098 Senior 100 Honorary Day	5981

PROCLAMATIONS (CONT'D)	
93-010 Mid-America Housing Expo Days	1248
93-011 Child Abuse Awareness Day	1683
93-012 Cardiac Rehabilitation Week	1683
93-013 Seed Month	1684
93-002 George Pradel Day (Revised)	2097
93-014 Activity Professionals Day	2097
93-015 Black Data Processing Associates Day	2098
93-016 Braille Literacy Week	2098
93-017 Sales and Marketing Month	2099
93-018 Mike Fisher Day	2099
93-019 Brookfield Centennial Celebration Year	2100
93-020 Financial Aid Awareness Month	2100
93-021 Girls and Women In Sports Day	2101
93-022 Snowmobile Safety Week	2101
93-023 Travel Agent Appreciation Week	2102
93-024 Women's Reproductive Health Day	2102
93-025 Little City Foundation-World's Largest Indoor Super Bowl Party Day	2102
93-026 Catholic Schools Week/Catholic Schools Appreciation Day	2103
93-027 Park Ridge Community Church Sesquicentennial Day	2103
93-028 Music In Our Schools Day	2444
93-029 Engineers Week	2444
93-030 Future Business Leaders Of America-Phi Beta Lambda Week	2444
93-031 Melba Johnson Day	2445
93-032 Nutrition Month	2446
93-033 Black Nurses' Day	2446
93-034 Child Passenger Safety Awareness Week	2446
93-035 Lithuanian Independence Day	2521
93-036 FFA Week	2521
93-037 Jaycee Child Identification Day	2522
93-038 Frank W. Considine Day	3066
93-039 Long-Term Care Administrators	3066
93-040 Nursing Home Week	3067
93-041 Agriculture Day	3567
93-042 DuSable Museum of African American History Day	3567
93-043 Licensed Practical Nurse Week	3568
93-044 Gold Heart Day	3568
93-045 Rural Electric And Telephone Youth Day	3569
93-046 David Cray Day	3570
93-047 Lewis And Clark Month	7603
93-047 Lewis And Clark Month (Revised)	3570
93-048 Youth Art Month	3571
93-049 Business Opportunity Days	3571
93-050 Dr. Charles Richard Drew Center For Health Sciences Continuing Education Day	3571
93-051 Free Paper Week	3572
93-052 Lutheran Schools Week	3572
93-053 Motorcycle Awareness Month	3573

PROCLAMATIONS (CONT'D)

93-099 Contemporary Christian Music Month 5982
93-100 Emergency Medical Services Week 5982
93-101 Illinois Community College Month 5983
93-102 Professional Social Workers Month 5983
93-103 Volunteer Week 5984
93-104 Manny Weinard Day 6367
93-105 American Red Cross Month 6367
93-106 Army ROTC Week 6368
93-107 Breastfeeding Promotion Month 6368
93-108 Building Safety Week 6369
93-109 Call Before You Dig Month 6370
93-110 Chicago Reporter Congratulated 6370
93-111 Community Renewal Society Day 6593
93-112 Greek Independence Day 6593
93-113 Infant Welfare Society Day 6594
93-114 Mary Parsons Waters Day 6594
93-115 Nancy Beyer Day 6595
93-116 Nurses Week 6595
93-117 Student-Athlete Day 6595
93-118 Sexual Assault Awareness Month 6596
93-119 Preschool Immunization Week 6596
93-120 Arbor And Bird Day 6679
93-121 Disaster Areas - Calhoun, Henry, Jersey And Rock Island Counties 6905
93-122 Disaster Areas - Kane, Lake And McHenry Counties 6905
93-123 National Federation Of Independent Business Day 7111
93-124 National Crime Victim Rights Week 7112
93-125 "Just Say No" Week 7603
93-126 Stamp Collecting Week 7604
93-127 Retired Teachers Week 8098
93-128 Disaster Areas - Jackson And Alexander Counties 8344
93-129 National Association Of Insurance Women's Week 8344
93-130 Correctional Officer Week 9156
93-131 Polish Constitution Day 9157
93-132 Michael Jordan's Restaurant Day 9158
93-133 Cando Day 9158
93-134 Cytotechnology Day 9159
93-135 Fresh Fruit And Vegetable Month 9159
93-136 James W. Compton Day 9160
93-137 RP Awareness Day 9161
93-138 American Heart Association Day 9161
93-139 Charleston Area Senior Center Day 9162
93-140 Frozen Yogurt Month 9162
93-141 Girl Scout Troop 222 Week 9163
93-142 Korean Veterans Of Foreign Wars 9163
93-143 Mattoon Area Senior Center Day 9164
93-144 Mother's Day 9164
93-145 Illinois Derby Day 9164

PROCLAMATIONS (CONT'D)

93-146 Paul M. Harmon Jr. Day 9165
93-147 Disaster Areas - Alexander, Massac, Pope And Pulaski Counties 9162
93-148 Disaster Areas - Cook And DuPage Counties 9162
93-149 Great Lakes Naval Training Center Should Be Retained And Fully Used 9163
93-150 Operation Lifesaver Awareness Day 9163
93-151 Copernicus Foundation Day 9164
93-152 AIDS Awareness Week 9165
93-153 American Industrial Hygiene Association Day 9165
93-154 Chicago Academy For The Arts' Tribute To Jule Styne Day 9166
93-155 Children's Memorial Day 9166
93-156 Cornelia de Lange Awareness Day 9167
93-157 Maritime Day 9168
93-158 Real Estate Education Week 9168
93-159 Safe Kids America Week 9169
93-160 Senior Center Year 9169
93-161 Flag Celebration Week 9170
93-162 Gateway Foundation Day 9170
93-163 Greek Heritage Week 9171
93-164 Illinois Agricultural Youth Institute Days 9171
93-165 National Nurses Society On Addiction Days 9172
93-166 Religious Freedom Day 9173
93-167 Safety Week 9173
93-168 Turkey Lover's Month 9174
93-169 Women In The Know...Export Week 9174
93-170 Youth Temperance Education Week 9175
93-171 Enterprise Zone Week 9175
93-172 National Depressive And Manic-Depressive Association Week 9176
93-173 William Rainey Harper College Board Of Trustees Acknowledged 9176
93-174 Illinois Rivers Appreciation Month 9177
93-175 Joint Civic Committee Of Italian Americans Day 9178
93-176 Illinois Bell Operator Day 9178
93-177 Karen Carlson Day 9179
93-178 Genealogy Month 10041
93-179 Week of the High Risk Child 10042
93-180 Reverend Addie Wyatt Day 10042
93-181 Women Employed Day 10043
93-182 40 And 8 Week 10043
93-183 George J. Cheung Appreciation Day 10044
93-184 Israel Bonds Week 10044
93-185 Korean War 40th Anniversary Day of Observance 10045
93-186 Management Week 10045
93-187 Russell Maryland Day 10046
93-188 Safe Boating Week 10046
93-189 Burl And Louise Chronister Day 10046
93-190 Cancer Survivor Day 10047
93-191 Gwendolyn Brooks Day 10047
93-192 Certified Manager Day 10048

PROCLAMATIONS (CONT'D)

93-193 International Alliance Of Theatrical Stage Employees And Moving Picture Machine Operators 10049
 93-194 Unclaimed Property Week 10050
 93-195 Father's Day 10051
 93-196 Bassmaster Superstars Day 10051
 93-197 Illinois Law Enforcement Torch Run For Special Olympics Recognition Week 10052
 93-198 Architecture In Illinois Days 10052
 93-199 Chestnut, Geo-Center Of Illinois Day 10053
 93-200 Genealogical Society Founders Day 10053
 93-201 Police Week 10054
 93-202 Bill Miller Day 10054
 93-203 Farmersville Day 10055
 93-204 Chemistry Week 10055
 93-205 Congregation B'Nai Jehoshua Beth Elohim Congratulated 10055
 93-206 Danville High School "Contemporaries"/1994 "Allied Musical Salute To Liberation Of France 10056
 93-207 Real Men Cook Day 10056
 93-208 WIC Week 10057
 93-209 American GI Forum Days 10058
 93-210 Amateur Radio Week 10058
 93-211 Family Life Week 10059
 93-212 Robert Dachman Day 10059
 93-213 Sri Chinmoy Peace Days 10060
 93-214 93rd Illinois Volunteer Infantry Day 10057
 93-215 Home Education Week 10057
 93-216 Economic Education Awareness Day 10058
 93-217 Holocaust Commemoration Month 10058
 93-218 Logistics Week 10059
 93-219 Medical Assistants Week 10059
 93-220 Medical Laboratory Week 10060
 93-221 Sky Awareness Week 10060
 93-222 Week Of The Young Child 10061
 93-223 Child Abuse Prevention Month 10061
 93-224 Cinco De Mayo Day 10062
 93-225 Coal Awareness Week 10062
 93-226 Draza Mihailovich Day 10063
 93-227 Foster Parent Appreciation Month 10063
 93-228 Junior High Student Government Month 10064
 93-229 Long-Term Care Nurses Week 10064
 93-230 Professional Secretaries Week/Professional Secretaries Day 10065
 93-231 Certified Nurse Assistant Day 10065
 93-232 Golden Gloves Days 10066
 93-233 Harold Washington Day 10066
 93-234 Lifeline Pilots Month 10067
 93-235 Organ And Tissue Donor Awareness Week 10067
 93-236 Gamma Phi Circus Week 10068
 93-237 Queen Isabella Day 10068
 93-238 HIV Talk Radio Day 10069
 93-239 36th Infantry Division Day 10069

PROCLAMATIONS (CONT'D)

93-240 Alcohol Awareness Month 10670
 93-241 Irvine L. Manning Day 10671
 93-242 Public Health Month 10671
 93-243 Surgical Technologists Week 10672
 93-244 Telephone Operators' Week 10672
 93-245 Asian And Pacific American Heritage Month 10673
 93-246 Credit Education Week 10674
 93-247 Day Of Remembrance Of The Victims Of The Holocaust 10674
 93-248 Days Of Remembrance Of The Victims Of The Holocaust 10674
 93-249 Dental Laboratory Technicians Week 10675
 93-250 Rich Ludolph Day 10675
 93-251 School Psychologists Association Week 10676
 93-252 A Time To Shine: A Tribute To Health Care Volunteers Day 11262
 93-253 Dinner Of Champions Day 11262
 93-254 Internal Audit Month 11263
 93-255 Buckle Up Kids Month 11263
 93-256 Egg Month 11264
 93-257 Exceptional Children's Week 11264
 93-258 Groundwater Protection Month 11264
 93-259 Law Day 11265
 93-260 Mental Health Month 11266
 93-261 Arts Week 11266
 93-262 Better Hearing And Speech Month 11267
 93-263 Garden Week 11267
 93-264 High Blood Pressure Month 11268
 93-265 Illinois Cancer Pain Awareness Day 11268
 93-266 Keep America Beautiful Month 11269
 93-267 Music Week 11269
 93-268 Older Americans Month 11270
 93-269 Staunton High School Bulldogs Day 11270
 93-270 Student Council Week 11271
 93-271 Lilac Time 11271
 93-272 Clown Week 11272
 93-273 Dr. James P. Paulissen Day 11272
 93-274 Jesse White Day 11273
 93-275 Father Raymond Baumhart Day 11274
 93-276 WBEE, Charles Sherrell II, And Truette T. Day 11274
 93-277 Black Child Development Week 11275
 93-278 Celebration Of Reading Day 11275
 93-279 Pediatric Brain Injury Awareness Month 11276
 93-280 Pioneers Across America For Alzheimer's Research Month 11276
 93-281 World champion Chicago Bulls Three-Peat Day 11277
 93-282 Disaster Areas-Counties Along Upper Mississippi River Basin, Rock River and Chain-of-Lakes Area 11946
 93-283 Disaster Areas-Counties Along Rock River and Lower Mississippi River Basin 11946
 93-284 Christian Heritage Week 11947
 93-285 Jaycee Haunted House Week 11947

PROCLAMATIONS (CONT'D)

11948
11948
11949
11949
11950
11950
11950
11951
11951
11952
11952
11953
11953

TYPE OF RULEMAKING ACTION CODES

am = amendment to existing Section
cc = codification changes
n = new Section
r = repeal of existing Section
re = recodified
= renumbered
A = Adopted rule
C = Correction
P = Proposed Rule
E = Emergency rule
PP = Peremptory rule
M = Modification
W = Withdrawal
RQ = Request for Correction
A = Adopted rule
C = Correction
S = Suspension
O = JCAR Objection
R = Refusal to Modify
F = Failure to Remedy
O = Objections Objection
RC = Recommendation
EC = Expedited Correction
CC = Codification Changes

DUE TO EQUIPMENT FAILURE AND TIME CONSTRAINTS, WE ARE HEREIN RE-PUBLISHING THE SECTIONS AFFECTED INDEX FROM LAST WEEK'S ISSUE 29, DATED JULY 16, 1993.

Next week's Issue 31 will include an updated version of the Sections Affected Index with changes from Issue 30.

Volume 17, Issue #29		ILLINOIS REGISTER		July 16, 1999	
SECTIONS AFFECTED		INDEX			
TITLE 1					
100.100	am	(P-2867; A-10414)	100.700	am	(P-2867; A-10414)
100.110	am	(P-2867; A-10414)	100.710	am	(P-2867; A-10414)
100.120	am	(P-2867; A-10414)	100.740	am	(P-2867; A-10414)
100.130	am	(P-2867; A-10414)	100.800	am	(P-2867; A-10414)
100.140	am	(P-2867; A-10414)	100.810	am	(P-2867; A-10414)
100.150	am	(P-2867; A-10414)	100.820	am	(P-2867; A-10414)
100.160	am	(P-2867; A-10414)	100.900	am	(P-2867; A-10414)
100.180	am	(P-2867; A-10414)	100.910	am	(P-2867; A-10414)
100.200	am	(P-2867; A-10414)	100.920	am	(P-2867; A-10414)
100.210	am	(P-2867; A-10414)	100.1000	am	(P-2867; A-10414)
100.220	am	(P-2867; A-10414)	100.1010	am	(P-2867; A-10414)
100.230	am	(P-2867; A-10414)	100.1020	am	(P-2867; A-10414)
100.240	am	(P-2867; A-10414)	100.1030	am	(P-2867; A-10414)
100.250	n	(P-2867; A-10414)	100.1110	am	(P-2867; A-10414)
100.260	am	(P-2867; A-10414)	100.1150	am	(P-2867; A-10414)
100.270	am	(P-2867; A-10414)	100.1160	n	(P-2867; A-10414)
100.280	am	(P-2867; A-10414)	100.1200	am	(P-2867; A-10414)
100.300	am	(P-2867; A-10414)	100.1210	am	(P-2867; A-10414)
100.310	am	(P-2867; A-10414)	100.Ap.A	am	(P-2867; A-10414)
100.320	am	(P-2867; A-10414)	II.A	am	(P-2867; A-10414)
100.330	am	(P-2867; A-10414)	100.Ap.B	am	(P-2867; A-10414)
100.335	am	(P-2867; A-10414)	II.G	n	(P-2867; A-10414)
100.340	am	(P-2867; A-10414)	II.H	n	(P-2867; A-10414)
100.345	am	(P-2867; A-10414)	II.I	n	(P-2867; A-10414)
100.350	am	(P-2867; A-10414)	100.Ap.D	am	(P-2867; A-10414)
100.360	am	(P-2867; A-10414)	II.A	am	(P-2867; A-10414)
100.380	am	(P-2867; A-10414)	100.Ap.E	am	(P-2867; A-10414)
100.385	am	(P-2867; A-10414)	II.C	am	(P-2867; A-10414)
100.390	am	(P-2867; A-10414)	II.D	am	(P-2867; A-10414)
100.400	am	(P-2867; A-10414)	II.F	am	(P-2867; A-10414)
100.410	am	(P-2867; A-10414)	II.G	n	(P-2867; A-10414)
100.415	am	(P-2867; A-10414)	210.100		(CC-5965)
100.420	am	(P-2867; A-10414)	210.200		(CC-5965)
100.430	am	(P-2867; A-10414)	210.400		(CC-5965)
100.440	am	(P-2867; A-10414)	210.450		(CC-5965)
100.450	am	(P-2867; A-10414)	210.500		(CC-5965)
100.500	am	(P-2867; A-10414)	220.100		(CC-5971)
100.510	am	(P-2867; A-10414)	220.150		(CC-5971)
100.530	am	(P-2867; A-10414)	220.200		(CC-5971)
100.540	am	(P-2867; A-10414)	220.250		(CC-5971)
100.545	am	(P-2867; A-10414)	220.275		(CC-5971)
100.550	am	(P-2867; A-10414)	220.285		(CC-5971)
100.600	am	(P-2867; A-10414)	220.300		(CC-5971)
100.610	am	(P-2867; A-10414)	220.450		(CC-5971)
100.620	am	(P-2867; A-10414)	220.500		(CC-5971)
100.640	am	(P-2867; A-10414)	220.600		(CC-5971)
100.650	am	(P-2867; A-10414)	220.760		(CC-5971)
100.660	am	(P-2867; A-10414)	220.780		(CC-5971)

ILLINOIS REGISTER			July 16, 1993	
Volume 17, Issue #29	SECTIONS AFFECTED	INDEX		
TITLE 1 (CONT'D)				
220.900	(CC-5971)	300.400	am	(P-11391/92; A-1511)
220.950	(CC-5971)	300.Ap.A	r	(P-11391/92; A-1511)
220.1000	(CC-5971)	TITLE 2		
220.1100	(CC-5971)	550.210	am	(A-9986)
220.1150	(CC-5971)	550.Tb.A	am	(A-9986)
220.1200	(CC-5971)	825.110		(CC-8092)
220.1300	(CC-5971)	1200.100	n	(A-7054)
220.Ex.E	(CC-5971)	1600.100		(CC-8094)
220.Ex.F	(CC-5971)	1601.10		(CC-8093)
220.Ex.G	(CC-5971)	2075.100		(CC-8096)
230.100	(CC-5967)	2150.		(CC-8097)
230.200	(CC-5967)	5175.		(CC-4904)
230.400	(CC-5967)	5176.		(CC-4903)
230.550	(CC-5967)	TITLE 3		
230.600	(CC-5967)	800.20	n	(P-15828/92; A-6513)
230.700	(CC-5967)	850.10	n	(P-15832/92; A-6517)
230.800	(CC-5967)	TITLE 4		
230.1000	(CC-5967)	125.10	n	(P-2283/92; A-1811)
230.Ex.A	(CC-5967)	125.20	n	(P-2283/92; A-1811)
230.Ex.B	(CC-5967)	125.30	n	(P-2283/92; A-1811)
230.Ex.C	(CC-5967)	125.40	n	(P-2283/92; A-1811)
230.Ex.F	(CC-5969)	125.50	n	(P-2283/92; A-1811)
240.100	(CC-5969)	125.60	n	(P-2283/92; A-1811)
240.200	(CC-5969)	125.70	n	(P-2283/92; A-1811)
240.500	(CC-5969)	125.80	n	(P-2283/92; A-1811)
240.650	(CC-5969)	125.Ap.A	n	(P-2283/92; A-1811)
240.700	(CC-5969)	150.10	n	(P-1263)
240.800	(CC-5969)	150.20	n	(P-1263)
240.900	(CC-5969)	150.30	n	(P-1263)
240.1100	(CC-5969)	150.40	n	(P-1263)
245.100	(CC-5962)	150.50	n	(P-1263)
245.110	(CC-5962)	150.60	n	(P-1263)
245.120	(CC-5962)	200.1	n	(P-1954/92; A-2200)
245.130	(CC-5962)	200.2	n	(P-1954/92; A-2200)
245.140	(CC-5962)	200.20	n	(P-1954/92; A-2200)
245.Ex.A	(CC-5962)	200.30	n	(P-1954/92; A-2200)
245.Ex.B	(CC-5962)	200.50	n	(P-1954/92; A-2200)
260.100	(CC-5960)	200.60	n	(P-1954/92; A-2200)
260.350	(CC-5960)	200.70	n	(P-1954/92; A-2200)
260.900	(CC-5960)	225.10	n	(P-7749/92; A-2945)
260.950	(CC-5960)	225.20	n	(P-7749/92; A-2945)
260.1000	(CC-5960)	225.30	n	(P-7749/92; A-2945)
260.1200	(CC-5960)	225.40	n	(P-7749/92; A-2945)
260.Ex.A	(CC-5960)	225.50	n	(P-7749/92; A-2945)
260.Ex.B	(CC-5960)	225.60	n	(P-7749/92; A-2945)
300.100	am	225.70	n	(P-7749/92; A-2945)
300.200	am			
300.300	r			

ILLINOIS REGISTER
Volume 17, Issue #29
SECTIONS AFFECTED INDEX
July 16, 1993

TITLE 11 (CONT'D)	205.180	■	(P-3594) (E-6859; O-8085)	205.500	■	(P-3594) (E-6859; O-8085)	TITLE 11 (CONT'D)	509.60	am	(P-6955/92; A-3649)	1409.180	am	(P-4158)
205.190	■	(P-3594) (E-6859; O-8085)	205.510	■	(P-3594) (E-6859; O-8085)	509.70	am	(P-6955/92; A-3649)	1409.185	am	(P-4158)		
205.200	■	(P-3594) (E-6859; O-8085)	205.520	■	(P-3594) (E-6859; O-8085)	509.75	am	(P-6955/92; A-3649)	1411.250	n	(P-1372)		
205.210	■	(P-3594) (E-6859; O-8085)	205.530	■	(P-3594) (E-6859; O-8085)	509.80	am	(P-6955/92; A-3649)	1413.150	am	(P-13218/92; A-1628)		
205.220	■	(P-3594) (E-6859; O-8085)	205.540	■	(P-3594) (E-6859; O-8085)	509.90	am	(P-6955/92; A-3649)	1424.175	r	(P-12133/92; A-3038)		
205.230	■	(P-3594) (E-6859; O-8085)	205.550	■	(P-3594) (E-6859; O-8085)	509.95	n	(P-6955/92; A-3649)	1428.240	n	(P-3593; O-10011; RC-10012) (E-3683; O-6550)		
205.240	■	(P-3594) (E-6859; O-8085)	205.560	■	(P-3594) (E-6859; O-8085)	509.100	am	(P-6955/92; A-3649)					
205.250	■	(P-3594) (E-6859; O-8085)	205.570	■	(P-3594) (E-6859; O-8085)	509.110	am	(P-6955/92; A-3649)					
205.260	■	(P-3594) (E-6859; O-8085)	205.580	■	(P-3594) (E-6859; O-8085)	509.130	r	(P-6955/92; A-3649)	1770.20	am	(P-16738/92; C-8074)		
205.270	■	(P-3594) (E-6859; O-8085)	205.590	■	(P-3594) (E-6859; O-8085)	509.140	am	(P-6955/92; A-3649)	1770.110	am	(P-16738/92; C-8074)		
205.280	■	(P-3594) (E-6859; O-8085)	205.600	■	(P-3594) (E-6859; O-8085)	509.150	am	(P-6955/92; A-3649)	1770.170	am	(P-16738/92; C-8074)		
205.290	■	(P-3594) (E-6859; O-8085)	205.610	■	(P-3594) (E-6859; O-8085)	509.160	am	(P-6955/92; A-3649)	1770.190	am	(P-16738/92; C-8074)		
205.300	■	(P-3594) (E-6859; O-8085)	205.620	■	(P-3594) (E-6859; O-8085)	509.170	am	(P-6955/92; A-3649)					
205.310	■	(P-3594) (E-6859; O-8085)	205.630	■	(P-3594) (E-6859; O-8085)	509.175	r	(P-6955/92; A-3649)	TITLE 14				
205.320	■	(P-3594) (E-6859; O-8085)	205.640	■	(P-3594) (E-6859; O-8085)	509.190	am	(P-6955/92; A-3649)	150.20	am	(P-4167)		
205.330	■	(P-3594) (E-6859; O-8085)	205.650	■	(P-3594) (E-6859; O-8085)	509.195	r	(P-6955/92; A-3649)	150.200	am	(P-4167)		
205.340	■	(P-3594) (E-6859; O-8085)	205.660	■	(P-3594) (E-6859; O-8085)	509.200	am	(P-6955/92; A-3649)	150.210	am	(P-4167)		
205.350	■	(P-3594) (E-6859; O-8085)	205.670	■	(P-3594) (E-6859; O-8085)	509.210	am	(P-6955/92; A-3649)	150.220	am	(P-4167)		
205.360	■	(P-3594) (E-6859; O-8085)	205.680	■	(P-3594) (E-6859; O-8085)	509.220	am	(P-6955/92; A-3649)	150.240	am	(P-4167)		
205.370	■	(P-3594) (E-6859; O-8085)	205.690	■	(P-3594) (E-6859; O-8085)	509.230	am	(P-6955/92; A-3649)	150.305	am	(P-4167)		
205.380	■	(P-3594) (E-6859; O-8085)	205.700	■	(P-3594) (E-6859; O-8085)	509.240	r	(P-6955/92; A-3649)	150.400	am	(P-4167)		
205.390	■	(P-3594) (E-6859; O-8085)	205.710	■	(P-3594) (E-6859; O-8085)	509.250	r	(P-6955/92; A-3649)	150.405	am	(P-4167)		
205.400	■	(P-3594) (E-6859; O-8085)	205.720	■	(P-3594) (E-6859; O-8085)	509.260	r	(P-6955/92; A-3649)	150.420	am	(P-4167)		
205.410	■	(P-3594) (E-6859; O-8085)	205.730	■	(P-3594) (E-6859; O-8085)	509.265	r	(P-6955/92; A-3649)	150.435	am	(P-4167)		
205.420	■	(P-3594) (E-6859; O-8085)	205.740	■	(P-3594) (E-6859; O-8085)	509.270	am	(P-6955/92; A-3649)	150.470	am	(P-4167)		
205.430	■	(P-3594) (E-6859; O-8085)	205.750	■	(P-3594) (E-6859; O-8085)	510.30	am	(P-6746)	150.510	am	(P-4167)		
205.440	■	(P-3594) (E-6859; O-8085)	205.760	■	(P-3594) (E-6859; O-8085)	510.200	am	(P-6746)	150.520	am	(P-4167)		
205.450	■	(P-3594) (E-6859; O-8085)	205.770	■	(P-3594) (E-6859; O-8085)	510.220	am	(P-4155)	150.620	am	(P-4167)		
205.460	■	(P-3594) (E-6859; O-8085)	205.780	■	(P-3594) (E-6859; O-8085)	1303.70	am	(P-1728)	150.621	am	(P-4167)		
205.470	■	(P-3594) (E-6859; O-8085)	205.790	■	(P-3594) (E-6859; O-8085)	1305.120	r	(P-2439/92; A-3034)	150.700	am	(P-4167)		
205.480	■	(P-3594) (E-6859; O-8085)	205.800	■	(P-3594) (E-6859; O-8085)	1305.130	r	(P-2439/92; A-3034)	150.705	am	(P-4167)		
205.490	■	(P-3594) (E-6859; O-8085)	205.810	■	(P-3594) (E-6859; O-8085)	1305.140	am	(P-2439/92; A-3034)	150.710	am	(P-4167)		
205.500	■	(P-3594) (E-6859; O-8085)	205.820	■	(P-3594) (E-6859; O-8085)	1409.10	am	(P-4158)	150.720	am	(P-4167)		
205.510	■	(P-3594) (E-6859; O-8085)	205.830	■	(P-3594) (E-6859; O-8085)	1409.20	am	(P-4158)	170.20	am	(P-13784/92; A-127)		
205.520	■	(P-3594) (E-6859; O-8085)	205.840	■	(P-3594) (E-6859; O-8085)	1409.30	am	(P-4158)	520.520	n	(P-9791)		
205.530	■	(P-3594) (E-6859; O-8085)	205.850	■	(P-3594) (E-6859; O-8085)	1409.410	am	(P-4158)	520.920	am	(P-13691/92; A-1837)		
205.540	■	(P-3594) (E-6859; O-8085)	205.860	■	(P-3594) (E-6859; O-8085)	1409.510	am	(P-4158)	520.930	am	(P-13691/92; A-1837)		
205.550	■	(P-3594) (E-6859; O-8085)	205.870	■	(P-3594) (E-6859; O-8085)	1409.710	am	(P-4158)	520.1020	am	(P-13691/92; A-1837)		
205.560	■	(P-3594) (E-6859; O-8085)	205.880	■	(P-3594) (E-6859; O-8085)	1409.810	am	(P-4158)	520.1030	am	(P-13691/92; A-1837)		
205.570	■	(P-3594) (E-6859; O-8085)	205.890	■	(P-3594) (E-6859; O-8085)	1409.100	am	(P-4158)	1230.100	n	(P-9222/92; A-1859)		
205.580	■	(P-3594) (E-6859; O-8085)	205.900	■	(P-3594) (E-6859; O-8085)	1409.120	am	(P-4158)	1230.110	n	(P-9222/92; A-1859)		
205.590	■	(P-3594) (E-6859; O-8085)	205.910	■	(P-3594) (E-6859; O-8085)	1409.130	am	(P-4158)	1230.200	n	(P-9222/92; A-1859)		
205.600	■	(P-3594) (E-6859; O-8085)	205.920	■	(P-3594) (E-6859; O-8085)	1409.135	am	(P-4158)	1230.210	n	(P-9222/92; A-1859)		
205.610	■	(P-3594) (E-6859; O-8085)	205.930	■	(P-3594) (E-6859; O-8085)	1409.138	am	(P-4158)	1230.300	n	(P-9222/92; A-1859)		
205.620	■	(P-3594) (E-6859; O-8085)	205.940	■	(P-3594) (E-6859; O-8085)	1409.140	am	(P-4158)	1230.310	n	(P-9222/92; A-1859)		
205.630	■	(P-3594) (E-6859; O-8085)	205.950	■	(P-3594) (E-6859; O-8085)	1409.150	am	(P-4158)	1230.400	n	(P-9222/92; A-1859)		
205.640	■	(P-3594) (E-6859; O-8085)	205.960	■	(P-3594) (E-6859; O-8085)	1409.160	am	(P-4158)	1230.500	n	(P-9222/92; A-1859)		
205.650	■	(P-3594) (E-6859; O-8085)	205.970	■	(P-3594) (E-6859; O-8085)	1409.170	am	(P-4158)	1230.510	n	(P-9222/92; A-1859)		

ILLINOIS REGISTER
Volume 17, Issue #29
SECTIONS AFFECTED INDEX
July 16, 1993

TITLE 11 (CONT'D)	TITLE 11 (CONT'D)							
205.180	■	(P-3594) (E-6859; O-8085)	509.60	am	(P-6955/92; A-3649)	1409.180	am	(P-4158)
205.190	■	(P-3594) (E-6859; O-8085)	509.70	am	(P-6955/92; A-3649)	1409.185	am	(P-4158)
205.250	■	(P-3594) (E-6859; O-8085)	509.75	am	(P-6955/92; A-3649)	1411.250	■	(P-1372)
205.260	■	(P-3594) (E-6859; O-8085)	509.90	am	(P-6955/92; A-3649)	1413.150	am	(P-13218/92; A-1628)
205.270	■	(P-3594) (E-6859; O-8085)	509.95	■	(P-6955/92; A-3649)	1424.170	am	(P-12133/92; A-3038)
205.280	■	(P-3594) (E-6859; O-8085)	509.100	am	(P-6955/92; A-3649)	1424.175	r	(P-12133/92; A-3038)
205.290	■	(P-3594) (E-6859; O-8085)	509.110	am	(P-6955/92; A-3649)	1428.240	■	(P-3593; O-10011; RC-10012) (E-3683; O-6550)
205.300	■	(P-3594) (E-6859; O-8085)	509.130	r	(P-6955/92; A-3649)	1770.20	am	(P-16738/92; C-8074)
205.310	■	(P-3594) (E-6859; O-8085)	509.140	am	(P-6955/92; A-3649)	1770.110	am	(P-16738/92; C-8074)
205.320	■	(P-3594) (E-6859; O-8085)	509.150	am	(P-6955/92; A-3649)	1770.170	am	(P-16738/92; C-8074)
205.330	■	(P-3594) (E-6859; O-8085)	509.160	am	(P-6955/92; A-3649)	1770.190	am	(P-16738/92; C-8074)
205.340	■	(P-3594) (E-6859; O-8085)	509.170	am	(P-6955/92; A-3649)	TITLE 14		
205.350	■	(P-3594) (E-6859; O-8085)	509.175	r	(P-6955/92; A-3649)	150.20	am	(P-4167)
205.360	■	(P-3594) (E-6859; O-8085)	509.190	am	(P-6955/92; A-3649)	150.200	am	(P-4167)
205.370	■	(P-3594) (E-6859; O-8085)	509.195	r	(P-6955/92; A-3649)	150.210	am	(P-4167)
205.380	■	(P-3594) (E-6859; O-8085)	509.200	am	(P-6955/92; A-3649)	150.220	am	(P-4167)
205.390	■	(P-3594) (E-6859; O-8085)	509.210	am	(P-6955/92; A-3649)	150.240	am	(P-4167)
205.400	■	(P-3594) (E-6859; O-8085)	509.220	am	(P-6955/92; A-3649)	150.305	am	(P-4167)
205.410	■	(P-3594) (E-6859; O-8085)	509.230	am	(P-6955/92; A-3649)	150.400	am	(P-4167)
205.420	■	(P-3594) (E-6859; O-8085)	509.240	r	(P-6955/92; A-3649)	150.405	am	(P-4167)
205.430	■	(P-3594) (E-6859; O-8085)	509.250	r	(P-6955/92; A-3649)	150.420	am	(P-4167)
205.440	■	(P-3594) (E-6859; O-8085)	509.260	r	(P-6955/92; A-3649)	150.435	am	(P-4167)
205.450	■	(P-3594) (E-6859; O-8085)	509.265	r	(P-6955/92; A-3649)	150.470	am	(P-4167)
205.460	■	(P-3594) (E-6859; O-8085)	509.270	am	(P-6955/92; A-3649)	150.510	am	(P-4167)
205.470	■	(P-3594) (E-6859; O-8085)	510.30	am	(P-6746)	150.520	am	(P-4167)
205.480	■	(P-3594) (E-6859; O-8085)	510.200	am	(P-6746)	150.620	am	(P-4167)
205.490	■	(P-3594) (E-6859; O-8085)	510.220	am	(P-4155)	150.621	am	(P-4167)
			1303.70	am	(P-1728)	150.700	am	(P-4167)
			1305.120	r	(P-2439/92; A-3034)	150.705	am	(P-4167)
			1305.130	r	(P-2439/92; A-3034)	150.710	am	(P-4167)
			1305.140	am	(P-2439/92; A-3034)	150.720	am	(P-4167)
			1409.10	am	(P-4158)	170.20	am	(P-13784/92; A-427)
			1409.20	am	(P-4158)	520.520	■	(P-9791)
			1409.310	am	(P-4158)	520.920	am	(P-13691/92; A-1837)
			1409.410	am	(P-4158)	520.930	am	(P-13691/92; A-1837)
			1409.510	am	(P-4158)	520.1020	am	(P-13691/92; A-1837)
			1409.710	am	(P-4158)	520.1030	am	(P-13691/92; A-1837)
			1409.810	am	(P-4158)	1230.100	■	(P-9222/92; A-1859)
			1409.100	am	(P-4158)	1230.110	■	(P-9222/92; A-1859)
			1409.120	am	(P-4158)	1230.200	■	(P-9222/92; A-1859)
			1409.130	am	(P-4158)	1230.210	■	(P-9222/92; A-1859)
			1409.135	am	(P-4158)	1230.300	■	(P-9222/92; A-1859)
			1409.138	am	(P-4158)	1230.310	■	(P-9222/92; A-1859)
			1409.140	am	(P-4158)	1230.400	■	(P-9222/92; A-1859)
			1409.150	am	(P-4158)	1230.500	■	(P-9222/92; A-1859)
			1409.160	am	(P-4158)	1230.510	■	(P-9222/92; A-1859)
			1409.170	am	(P-4158)			

Volume 17, Issue #29	SECTIONS AFFECTED	INDEX	July 16, 1993
TITLE 14 (CONT'D)			
1230.520	n	(P-9222/92; A-1859)	660.50 am (P-4742; A-10865)
1230.530	n	(P-9222/92; A-1859)	660.60 am (P-4742; A-10865)
1230.540	n	(P-9222/92; A-1859)	670.10 am (P-15265/92; A-286)
TITLE 17			
220.30	am	(P-19993/92; A-6760)	670.20 am (P-4698)
220.60	am	(P-19993/92; A-6760)	670.30 am (P-4698)
370.		(CC-8091)	670.40 am (P-4698)
390.		(CC-8090)	670.60 am (P-15265/92; A-286)
510.10	am	(P-4601; A-10775)	690.30 am (P-4698)
530.10	am	(P-7138)	710.10 am (P-4672; A-10842)
530.20	am	(P-7138)	710.20 am (P-18181/92; A-3184)
530.70	am	(P-7138)	710.30 am (P-18181/92; A-3184)
530.80	am	(P-7138)	710.50 am (P-18181/92; A-3184)
530.90	am	(P-7138)	715.10 am (P-4689; A-10858)
530.100	am	(P-7138)	715.20 am (P-4689; A-10858)
530.105	am	(P-7138)	715.21 n (P-4689; A-10858)
530.110	am	(P-7138)	715.40 am (P-4689; A-10858)
530.115	am	(P-7138)	720.10 am (P-15260/92; A-281)
530.120	am	(P-7138)	720.20 am (P-4680; A-10850)
550.10	am	(P-4622; A-10795)	720.40 am (P-15260/92; A-281)
550.20	am	(P-4622; A-10795)	730.10 am (P-4680; A-10850)
550.30	am	(P-4622; A-10795)	730.20 am (P-4539; A-10761)
570.20	am	(P-4611; A-10785)	730.30 am (P-4539; A-10761)
570.30	am	(P-4611; A-10785)	740.10 am (P-4757; A-10877)
570.40	am	(E-1658) (P-4554)	740.20 am (P-4757; A-10877)
590.20	am	(P-4554)	810.20 am (P-17414/92; A-3853)
590.25	am	(P-4554)	810.35 am (P-17414/92; A-3853)
590.26	am	(P-4554)	810.37 am (P-17414/92; A-3853)
590.30	am	(P-4554)	810.45 am (P-17414/92; A-3853)
590.40	am	(P-4554)	810.60 am (E-5915)
590.50	am	(P-4554)	810.70 am (P-17414/92; A-3853)
590.60	am	(P-4554)	830.10 am (P-17405/92; A-3177)
590.70	am	(P-4718)	830.20 am (P-17405/92; A-3177)
650.20	am	(P-4718)	830.40 am (P-17405/92; A-3177)
650.21	am	(P-4718)	830.80 am (P-17405/92; A-3177)
650.22	am	(P-4718)	830.90 am (P-17405/92; A-3177)
650.30	am	(P-4718)	950.40 am (P-6390)
650.40	am	(P-4718)	950.50 am (P-6390)
650.50	am	(P-4718)	1050.20 am (P-4608; A-10781)
650.60	am	(P-4718)	1536.10 am (P-8107)
650.65	n	(P-4718)	1536.25 am (P-8107)
660.20	am	(P-4742; A-10865)	1536.30 am (P-8107)
660.22	n	(P-4742; A-10865)	1536.40 am (P-8107)
660.30	am	(P-4742; A-10865)	
660.40	am	(P-4742; A-10865)	
660.45	am	(P-4742; A-10865)	

Volume 17, Issue #29	SECTIONS AFFECTED	INDEX	July 16, 1995
TITLE 17 (CONT'D)			
1536.50	am	(P-8107)	210.10 r (P-10061)
1536.60	am	(P-8107)	210.100 r (P-10061)
1536.65	n	(P-8107)	210.110 r (P-10061)
1536.70	am	(P-8107)	210.120 r (P-10061)
1536.80	am	(P-8107)	210.130 r (P-10061)
1536.90	am	(P-8107)	210.140 r (P-10061)
2530.20	am	(CC-8089)	210.150 r (P-10061)
2735.30	am	(P-10252)	210.200 r (P-10061)
4180.120	am	(P-13718/92; A-1521)	210.210 r (P-10061)
			210.220 r (P-10061)
TITLE 20			
440.10			228.15 n (P-9253/92; A-104)
440.10	r	(P-16371/92; A-1519)	228.20 am (P-9253/92; A-104)
440.20	r	(P-16371/92; A-1519)	228.25 n (P-9253/92; A-104)
501.40	am	(P-8396)	228.30 am (P-9253/92; A-104)
501.60	am	(P-8396)	228.50 am (P-9253/92; A-104)
502.110	am	(P-6394)	245.10 n (P-10131)
525.140	am	(PP-1666; RQ-9150; C-10013) (PP-8069)	245.20 n (P-10131)
			245.30 n (P-10131)
1230.10	am	(P-7768)	245.40 n (P-10131)
1230.20	am	(P-7768)	245.50 n (P-10131)
1230.30	am	(P-7768)	245.60 n (P-10131)
1230.40	#, n	(P-7768)	245.70 n (P-10131)
1230.50	#, am	(P-7768)	1501.518 n (P-12274/92; A-1853)
1230.60	n	(P-7768)	1501.102 am (P-6686)
1230.70	n	(P-7768)	1501.105 am (P-6686)
1230.80	n	(P-7768)	1501.109 am (P-6686)
1230.90	#, am	(P-7768)	1501.110 am (P-6686)
1230.100	n	(P-7768)	1501.201 am (P-6686)
1230.Ex.A	r	(P-7768)	1501.202 am (P-6686)
1230.Ex.B	r	(P-7768)	1501.301 am (P-6686)
			1501.302 am (P-6686)
			1501.307 am (P-6686)
			1501.309 am (P-6686)
	am	(P-10079)	1501.406 am (P-6686)
1.10	am	(P-10079)	1501.501 am (P-6686)
1.20	am	(P-10079)	1501.501 am (P-6686)
1.30	am	(P-10079)	1501.503 am (P-6686)
1.40	am	(P-10079)	1501.505 am (P-6686)
1.50	am	(P-10079)	1501.507 am (P-6686)
1.60	am	(P-10079)	1501.516 am (P-6686)
1.70	am	(P-10079)	1501.607 am (P-6686)
1.80	am	(P-10079)	1501.703 am (P-6686)
1.90	n	(P-10079)	2310.80 am (P-1691; A-9680)
1.100	n	(P-10079)	2700.20 am (P-1385; A-10541)
.Ap.D	n	(P-10079)	2700.30 am (P-1385; A-10541)
.Ap.E	n	(P-10079)	2700.40 am (P-1385; A-10541)
.Ap.F	n	(P-10079)	2700.50 am (P-1385; A-10541)
.Ap.G	n	(P-10079)	2700.55 am (P-1385; A-10541)
1.736	n	(P-8684/92; A-18010/92; EC-3553)	2700.60 am (P-1385; A-10541)
			2700.70 am (P-1385; A-10541)
TITLE 23			
1.10	am	(P-10079)	1501.307 am (P-6686)
1.20	am	(P-10079)	1501.406 am (P-6686)
1.30	am	(P-10079)	1501.501 am (P-6686)
1.40	am	(P-10079)	1501.503 am (P-6686)
1.50	am	(P-10079)	1501.505 am (P-6686)
1.60	am	(P-10079)	1501.507 am (P-6686)
1.70	am	(P-10079)	1501.516 am (P-6686)
1.80	am	(P-10079)	1501.607 am (P-6686)
1.90	n	(P-10079)	1501.703 am (P-6686)
1.100	n	(P-10079)	2310.80 am (P-1691; A-9680)
.Ap.D	n	(P-10079)	2700.20 am (P-1385; A-10541)
.Ap.E	n	(P-10079)	2700.30 am (P-1385; A-10541)
.Ap.F	n	(P-10079)	2700.40 am (P-1385; A-10541)
.Ap.G	n	(P-10079)	2700.50 am (P-1385; A-10541)
1.736	n	(P-8684/92; A-18010/92; EC-3553)	2700.55 am (P-1385; A-10541)
			2700.60 am (P-1385; A-10541)

ILLINOIS REGISTER
 JULY 16, 1993
 SECTIONS AFFECTED INDEX

Volume 17, Issue #29

TITLE 23 (CONT'D)	am	(P-1403; A-10506)	2761.30	(P-1453; A-10579)	340.1050	(P-4070)
2720.5	am	(P-1403; A-10506)	2762.10	(P-1484; A-10611)	340.1052	(P-4070)
2720.6	am	(P-1403; A-10506)	2762.20	(P-1484; A-10611)	340.1055	(P-4070)
2720.10	am	(P-1403; A-10506)	2762.30	(P-1484; A-10611)	340.1057	(P-4070)
2720.20	am	(P-1403; A-10506)	2762.40	(P-1484; A-10611)	340.1060	(P-3997)
2720.25	am	(P-1403; A-10506)	2763.10	(P-1459; A-10585)	340.1060	(P-4070)
2720.30	am	(P-1403; A-10506)	2763.20	(E-175)	340.1070	(P-3997)
2720.40	am	(E-2055)	2763.30	(P-1459; A-10585)	340.1070	(P-3997)
2720.41	am	(P-1403; A-10506)	2763.40	(P-1459; A-10585)	340.1110	(P-4070)
2720.42	am	(P-1403; A-10506)	2763.50	(P-1459; A-10585)	340.1120	(P-4070)
2720.50	am	(P-1403; A-10506)	2770.10	(P-1505; A-10632)	340.1130	(P-4070)
2720.55	am	(P-1403; A-10506)	2770.20	(P-1505; A-10632)	340.1135	(P-4070)
2720.60	am	(P-1403; A-10506)	2770.30	(P-1505; A-10632)	340.1140	(P-4070)
2720.70	am	(P-1403; A-10506)	3030.10	(P-9678) (E-9725)	340.1150	(P-4070)
2720.80	am	(P-1403; A-10506)	3030.105	(P-958; A-7234)	340.1160	(P-4070)
2720.90	am	(P-1403; A-10506)	3040.100	(P-958; A-7234)	340.1170	(P-4070)
2720.105	am	(P-1403; A-10506)	3040.110	(P-958; A-7234)	340.1180	(P-4070)
2720.120	am	(P-1403; A-10506)	3040.120	(P-958; A-7234)	340.1190	(P-4070)
2720.130	am	(P-1403; A-10506)	3040.130	(P-958; A-7234)	340.1195	(P-4070)
2720.200	am	(P-1403; A-10506)	3040.140	(P-958; A-7234)	340.1210	(P-4070)
2720.210	am	(P-1403; A-10506)	3040.150	(P-958; A-7234)	340.1220	(P-4070)
2720.210	am	(P-1403; A-10506)	3040.160	(P-958; A-7234)	340.1230	(P-4070)
2730.5	am	(P-1437; A-10563)	3040.170	(P-958; A-7234)	340.1240	(P-4070)
2730.10	am	(P-1437; A-10563)	3040.200	(P-958; A-7234)	340.1250	(P-4070)
2730.20	am	(P-1437; A-10563)	3040.210	(P-958; A-7234)	340.1270	(P-4070)
2731.10	am	(P-1381; A-10559)	3040.220	(P-958; A-7234)	340.1310	(P-4070)
2731.20	am	(P-1493; A-10620)	3040.230	(P-958; A-7234)	340.1320	(P-4070)
2732.10	am	(P-1493; A-10620)	3040.240	(P-958; A-7234)	340.1320	(P-4070)
2732.20	am	(P-1444; A-10570)	3040.250	(P-958; A-7234)	340.1320	(P-4070)
2733.10	am	(P-1444; A-10570)	3040.260	(P-958; A-7234)	340.1320	(P-4070)
2733.20	am	(P-1444; A-10570)			340.1320	(P-4070)
2733.30	am	(P-1444; A-10570)			340.1320	(P-4070)
2735.10	am	(P-1470; A-10596)			340.1320	(P-4070)
2735.20	am	(P-1470; A-10596)			340.1320	(P-4070)
2735.30	am	(P-1470; A-10596)			340.1320	(P-4070)
2735.40	am	(E-6672)			340.1320	(P-4070)
2735.50	am	(P-1470; A-10596)			340.1320	(P-4070)
2735.60	am	(P-1470; A-10596)			340.1320	(P-4070)
2735.70	am	(P-1470; A-10596)			340.1320	(P-4070)
2735.80	am	(P-1470; A-10596)			340.1320	(P-4070)
2735.100	am	(P-1470; A-10596)			340.1320	(P-4070)
2760.5	am	(P-1497; A-10624)			340.1320	(P-4070)
2760.10	am	(P-1497; A-10624)			340.1320	(P-4070)
2760.30	am	(P-1497; A-10624)			340.1320	(P-4070)
2760.40	am	(P-1497; A-10624)			340.1320	(P-4070)
2761.10	am	(P-1453; A-10579)			340.1320	(P-4070)
2761.20	am	(P-1453; A-10579)			340.1320	(P-4070)

ILLINOIS REGISTER		ILLINOIS REGISTER	
Volume 17, Issue #29	SECTIONS AFFECTED INDEX	Volume 17, Issue #29	SECTIONS AFFECTED INDEX
July 16, 1993		July 16, 1993	

TITLE 32 (CONT'D)		TITLE 35 (CONT'D)		TITLE 38 (CONT'D)	
340.4050	r	(P-3997)	203.123	#	(P-4782)
340.4070	r	(P-3997)	203.126	n	(P-4782)
340.4080	r	(P-3997)	203.128	am	(P-4782)
340.4090	r	(P-3997)	203.145	r	(P-4782)
340.Ap.A	r	(P-3997)	203.150	am	(P-4782)
340.Ap.B	r	(P-3997)	203.201	am	(P-4782)
340.Ap.C	r	(P-3997)	203.203	am	(P-4782)
.II.A	r	(P-3997)	203.206	am	(P-4782)
351.10	am	(P-8674)	203.207	am	(P-4782)
351.40	am	(P-8674)	203.208	am	(P-4782)
351.1010	am	(P-8674)	203.209	am	(P-4782)
351.1040	am	(P-8674)	203.301	am	(P-4782)
351.1050	am	(P-8674)	203.302	am	(P-4782)
351.1060	am	(P-8674)	203.303	am	(P-4782)
351.1070	am	(P-8674)	203.306	am	(P-4782)
351.1080	am	(P-8674)	203.801	n	(P-4782)
351.1090	am	(P-8674)	211.102	am	(P-4782)
351.1100	am	(P-8674)	211.121	am	(P-4782)
351.2010	am	(P-8674)	211.122	r	(P-4782)
351.2020	am	(P-8674)	211.130	n	(P-4782)
351.2030	am	(P-8674)	211.150	n	(P-4782)
351.3030	am	(P-8674)	211.170	n	(P-4782)
351.3040	am	(P-8674)	211.210	n	(P-4782)
351.4010	am	(P-8674)	211.230	n	(P-4782)
351.4020	am	(P-8674)	211.250	n	(P-4782)
351.4030	am	(P-8674)	211.290	n	(P-4782)
351.5010	am	(P-8674)	211.310	n	(P-4782)
351.Ap.B	am	(P-8674)	211.330	n	(P-4782)
390.20	am	(P-8666)	211.350	n	(P-4782)
390.30	am	(P-8666)	211.370	n	(P-4782)
390.40	am	(P-8666)	211.390	n	(P-4782)
390.50	am	(P-8666)	211.410	n	(P-4782)
390.60	am	(P-8666)	211.430	n	(P-4782)
390.70	am	(P-8666)	211.450	n	(P-4782)
400.10	am	(P-8655)	211.470	n	(P-4782)
400.110	am	(P-8655)	211.490	n	(P-4782)
400.120	am	(P-8655)	211.510	n	(P-4782)
400.130	am	(P-8655)	211.530	n	(P-4782)
400.140	am	(P-8655)	211.550	n	(P-4782)
400.150	am	(P-8655)	211.570	n	(P-4782)
400.160	am	(P-8655)	211.590	n	(P-4782)
TITLE 35			211.610	n	(P-4782)
203.101	am	(P-18919/92; A-6973)	211.630	n	(P-4782)
203.107	am	(P-18919/92; A-6973)	211.650	n	(P-4782)
203.110	am	(P-18919/92; A-6973)	211.670	n	(P-4782)
203.112	am	(P-18919/92; A-6973)	211.690	n	(P-4782)
203.122	#	(P-18919/92; A-6973)	211.710	n	(P-4782)
			211.730	n	(P-4782)
			211.750	n	(P-4782)
			211.770	n	(P-4782)
			211.790	n	(P-4782)
			211.810	n	(P-4782)
			211.830	n	(P-4782)
			211.850	n	(P-4782)
			211.870	n	(P-4782)
			211.890	n	(P-4782)
			211.910	n	(P-4782)
			211.930	n	(P-4782)
			211.950	n	(P-4782)
			211.970	n	(P-4782)
			211.990	n	(P-4782)
			211.1010	n	(P-4782)
			211.1050	n	(P-4782)
			211.1090	n	(P-4782)
			211.1110	n	(P-4782)
			211.1130	n	(P-4782)
			211.1150	n	(P-4782)
			211.1170	n	(P-4782)
			211.1190	n	(P-4782)
			211.1210	n	(P-4782)
			211.1230	n	(P-4782)
			211.1250	n	(P-47

ILLINOIS REGISTER			ILLINOIS REGISTER		
SECTIONS AFFECTED INDEX			SECTIONS AFFECTED INDEX		
Volume 17, Issue #29	July 16, 1993		Volume 17, Issue #29	July 16, 1993	
TITLE 35 (CONT'D)			TITLE 35 (CONT'D)		
211.2830 n	(P-4782)	211.3790 n	(P-4782)	211.5890 n	(P-4782)
211.2850 n	(P-4782)	211.3810 n	(P-4782)	211.5910 n	(P-4782)
211.2870 n	(P-4782)	211.3830 n	(P-4782)	211.5930 n	(P-4782)
211.2890 n	(P-4782)	211.3850 n	(P-4782)	211.5950 n	(P-4782)
211.2910 n	(P-4782)	211.3870 n	(P-4782)	211.5970 n	(P-4782)
211.2930 n	(P-4782)	211.3890 n	(P-4782)	211.5990 n	(P-4782)
211.2950 n	(P-4782)	211.3910 n	(P-4782)	211.6010 n	(P-4782)
211.2970 n	(P-4782)	211.3930 n	(P-4782)	211.6030 n	(P-4782)
211.2990 n	(P-4782)	211.3950 n	(P-4782)	211.6050 n	(P-4782)
211.3010 n	(P-4782)	211.3970 n	(P-4782)	211.6070 n	(P-4782)
211.3030 n	(P-4782)	211.3990 n	(P-4782)	211.6090 n	(P-4782)
211.3050 n	(P-4782)	211.4010 n	(P-4782)	211.6130 n	(P-4782)
211.3070 n	(P-4782)	211.4030 n	(P-4782)	211.6150 n	(P-4782)
211.3090 n	(P-4782)	211.4050 n	(P-4782)	211.6190 n	(P-4782)
211.3110 n	(P-4782)	211.4070 n	(P-4782)	211.6210 n	(P-4782)
211.3130 n	(P-4782)	211.4090 n	(P-4782)	211.6230 n	(P-4782)
211.3150 n	(P-4782)	211.4110 n	(P-4782)	211.6270 n	(P-4782)
211.3170 n	(P-4782)	211.4130 n	(P-4782)	211.6290 n	(P-4782)
211.3190 n	(P-4782)	211.4150 n	(P-4782)	211.6310 n	(P-4782)
211.3210 n	(P-4782)	211.4170 n	(P-4782)	211.6330 n	(P-4782)
211.3230 n	(P-4782)	211.4190 n	(P-4782)	211.6350 n	(P-4782)
211.3250 n	(P-4782)	211.4210 n	(P-4782)	211.6370 n	(P-4782)
211.3270 n	(P-4782)	211.4230 n	(P-4782)	211.6390 n	(P-4782)
211.3290 n	(P-4782)	211.4250 n	(P-4782)	211.6410 n	(P-4782)
211.3310 n	(P-4782)	211.4270 n	(P-4782)	211.6430 n	(P-4782)
211.3330 n	(P-4782)	211.4290 n	(P-4782)	211.6450 n	(P-4782)
211.3350 n	(P-4782)	211.4310 n	(P-4782)	211.6470 n	(P-4782)
211.3370 n	(P-4782)	211.4330 n	(P-4782)	211.6490 n	(P-4782)
211.3390 n	(P-4782)	211.4350 n	(P-4782)	211.6510 n	(P-4782)
211.3410 n	(P-4782)	211.4370 n	(P-4782)	211.6530 n	(P-4782)
211.3430 n	(P-4782)	211.4390 n	(P-4782)	211.6550 n	(P-4782)
211.3450 n	(P-4782)	211.4410 n	(P-4782)	211.6570 n	(P-4782)
211.3470 n	(P-4782)	211.4430 n	(P-4782)	211.6590 n	(P-4782)
211.3490 n	(P-4782)	211.4450 n	(P-4782)	211.6610 n	(P-4782)
211.3510 n	(P-4782)	211.4470 n	(P-4782)	211.6670 n	(P-4782)
211.3530 n	(P-4782)	211.4490 n	(P-4782)	211.6690 n	(P-4782)
211.3550 n	(P-4782)	211.4510 n	(P-4782)	211.6730 n	(P-4782)
211.3570 n	(P-4782)	211.4530 n	(P-4782)	211.6750 n	(P-4782)
211.3590 n	(P-4782)	211.4550 n	(P-4782)	211.6770 n	(P-4782)
211.3610 n	(P-4782)	211.4570 n	(P-4782)	211.6790 n	(P-4782)
211.3630 n	(P-4782)	211.4610 n	(P-4782)	211.6810 n	(P-4782)
211.3650 n	(P-4782)	211.4630 n	(P-4782)	211.6850 n	(P-4782)
211.3670 n	(P-4782)	211.4650 n	(P-4782)	211.6870 n	(P-4782)
211.3690 n	(P-4782)	211.4670 n	(P-4782)	211.6890 n	(P-4782)
211.3710 n	(P-4782)	211.4690 n	(P-4782)	211.6910 n	(P-4782)
211.3730 n	(P-4782)	211.4710 n	(P-4782)	211.6930 n	(P-4782)
211.3750 n	(P-4782)	211.4730 n	(P-4782)	211.6950 n	(P-4782)
211.3770 n	(P-4782)	211.4750 n	(P-4782)	211.6970 n	(P-4782)
		211.4770 n	(P-4782)	211.6990 n	(P-4782)
		211.4790 n	(P-4782)		

ILLINOIS REGISTER			ILLINOIS REGISTER		
Volume 17, Issue #29		July 16, 1993	Volume 17, Issue #29		July 16, 1993
SECTIONS AFFECTED INDEX			SECTIONS AFFECTED INDEX		
TITLE 35 (CONT'D)			TITLE 35 (CONT'D)		
219.209 am	(P-5169)	am	219.541 am	(P-5169)	n
219.210 am	(P-5169)	am	219.562 am	(P-5169)	254.131
219.211 am	(P-5169)	am	219.581 am	(P-5169)	254.132
219.301 am	(P-5169)	am	219.582 am	(P-5169)	254.133
219.302 am	(P-5169)	am	219.583 am	(P-5169)	254.134
219.303 am	(P-5169)	am	219.584 am	(P-5169)	254.135
219.304 am	(P-5169)	am	219.585 am	(P-5169)	254.136
219.401 am	(P-5169)	am	219.586 am	(P-5169)	254.201
219.402 am	(P-5169)	am	219.601 am	(P-5169)	254.202
219.403 am	(P-5169)	am	219.602 am	(P-5169)	254.203
219.404 am	(P-5169)	am	219.603 am	(P-5169)	254.204
219.405 am	(P-5169)	am	219.604 am	(P-5169)	254.301
219.421 am	(P-5169)	am	219.605 am	(P-5169)	254.302
219.422 am	(P-5169)	am	219.606 am	(P-5169)	254.303
219.423 am	(P-5169)	am	219.608 am	(P-5169)	254.304
219.424 am	(P-5169)	am	219.609 am	(P-5169)	254.305
219.425 am	(P-5169)	am	219.610 am	(P-5169)	254.401
219.426 am	(P-5169)	am	219.611 am	(P-5169)	254.402
219.427 am	(P-5169)	am	219.612 am	(P-5169)	254.403
219.428 am	(P-5169)	am	219.613 am	(P-5169)	254.404
219.429 am	(P-5169)	am	219.620 am	(P-5169)	307.1103
219.430 am	(P-5169)	am	219.621 am	(P-5169)	307.2400
219.441 am	(P-5169)	am	219.623 am	(P-5169)	307.2402
219.443 am	(P-5169)	am	219.624 am	(P-5169)	307.2403
219.445 am	(P-5169)	am	219.628 am	(P-5169)	307.2404
219.446 am	(P-5169)	am	219.636 am	(P-5169)	307.2405
219.447 am	(P-5169)	am	219.637 am	(P-5169)	307.2406
219.449 am	(P-5169)	am	219.640 am	(P-5169)	307.2490
219.450 am	(P-5169)	am	219.642 am	(P-5169)	307.2491
219.452 am	(P-5169)	am	219.644 am	(P-5169)	320.101
219.453 am	(P-5169)	am	219.644 am	(P-5169)	320.102
219.461 am	(P-5169)	am	219.875 am	(P-5169)	320.103
219.462 am	(P-5169)	am	219.877 am	(P-5169)	320.104
219.463 am	(P-5169)	am	219.879 am	(P-5169)	320.105
219.464 am	(P-5169)	am	219.881 am	(P-5169)	320.201
219.465 am	(P-5169)	am	219.883 am	(P-5169)	320.202
219.466 am	(P-5169)	am	219.886 am	(P-5169)	320.203
219.480 am	(P-5169)	am	219.920 am	(P-5169)	320.204
219.481 am	(P-5169)	am	219.923 am	(P-5169)	320.301
219.482 am	(P-5169)	am	219.926 am	(P-5169)	320.302
219.483 am	(P-5169)	am	219.927 am	(P-5169)	604.101
219.485 am	(P-5169)	am	219.928 am	(P-5169)	604.102
219.486 am	(P-5169)	am	219.940 am	(P-5169)	604.103
219.487 am	(P-5169)	am	219.943 am	(P-5169)	604.104
219.489 am	(P-5169)	am	219.946 am	(P-5169)	604.105
219.521 am	(P-5169)	am	219.947 am	(P-5169)	604.401
219.525 am	(P-5169)	am	219.948 am	(P-5169)	605.101
219.527 am	(P-5169)	am	219.960 am	(P-5169)	605.102
					605.109

ILLINOIS REGISTER				ILLINOIS REGISTER			
Volume 17, Issue #29		SECTIONS AFFECTED INDEX		Volume 17, Issue #29		SECTIONS AFFECTED INDEX	
July 16, 1993		July 16, 1993		July 16, 1993		July 16, 1993	

TITLE 35 (CONT'D)				TITLE 35 (CONT'D)			
611.101	am	(P-2533; A-7796)	611.640	am	(P-2533; A-7796)	724.115	am
611.102	am	(P-7629)	611.646	am	(P-2533; A-7796)	724.119	n
611.107	n	(P-2533; A-7796)	611.647	am	(P-7629)	724.173	am
611.110	am	(A-7796)	611.648	am	(P-2533; A-7796)	724.210	am
611.111	am	(P-2533; A-7796)	611.Ap.A	am	(P-7629)	724.211	am
611.112	am	(P-2533; A-7796)	611.Ap.E	n	(P-2533; A-7796)	724.212	am
611.113	am	(P-2533; A-7796)	611.Tb.D	n	(P-2533; A-7796)	724.240	am
611.130	n	(P-2533; A-7796)	611.Tb.E	n	(P-2533; A-7796)	724.242	am
611.240	am	(P-7629)	611.Tb.F	n	(P-2533; A-7796)	724.243	am
611.280	am	(P-2533; A-7796)	611.Tb.G	n	(P-2533; A-7796)	724.245	am
611.290	am	(P-2533; A-7796)	611.Tb.Z	#	(P-2533; A-7796)	724.247	am
611.297	n	(P-2533; A-7796)	611.Tb.Z	am	(P-2533; A-7796)	724.251	am
611.300	am	(P-2533; A-7796)	615.105	am	(P-7629)	724.321	am
611.301	am	(P-2533; A-7796)	616.105	am	(P-16465/92; A-1871)	724.322	n
611.310	am	(P-7629)	702.181	am	(P-16473/92; A-1878)	724.323	n
611.311	am	(P-2533; A-7796)	703.155	am	(P-16924/92; A-5769)	724.326	am
611.350	n	(P-7629)	703.181	am	(P-9417)	724.328	n
611.351	n	(P-2533; A-7796)	703.183	am	(P-9417)	724.351	am
611.352	n	(P-2533; A-7796)	703.203	am	(P-16930/92; A-5774)	724.352	n
611.353	n	(P-2533; A-7796)	703.204	am	(P-16930/92; A-5774)	724.353	n
611.354	n	(P-2533; A-7796)	703.207	am	(P-16930/92; A-5774)	724.354	am
611.355	n	(P-2533; A-7796)	703.280	am	(P-9417)	724.401	am
611.356	n	(P-2533; A-7796)	703.Ap.A	am	(P-16930/92; A-5774)	724.402	n
611.357	n	(P-2533; A-7796)	720.110	am	(P-9417)	724.403	am
611.358	n	(P-2533; A-7796)	720.111	am	(P-16776/92; A-5625)	724.404	n
611.359	n	(P-2533; A-7796)	721.102	am	(P-9170)	724.410	am
611.360	n	(P-2533; A-7796)	721.103	am	(P-9193)	724.414	am
611.361	n	(P-2533; A-7796)	721.104	am	(P-16801/92; A-5650)	724.416	am
611.510	am	(P-7629)	721.105	am	(P-9193)	724.670	am
611.521	am	(P-2533; A-7796)	721.106	am	(P-16801/92; A-5650)	724.671	am
611.560	am	(P-2533; A-7796)	721.111	am	(P-9193)	724.672	am
611.600	am	(P-7629)	721.131	am	(P-9193)	724.673	am
611.601	am	(P-7629)	721.132	am	(P-9193)	724.1100	n
611.603	am	(P-7629)	721.133	am	(P-9193)	724.1101	n
611.609	am	(P-7629)	721.Ap.B	am	(P-16801/92; A-5650)	724.1102	n
611.611	am	(P-2533; A-7796)	721.Ap.G	am	(P-9193)	725.101	am
611.612	am	(P-7629)	722.134	am	(P-9193)	725.113	am
611.613	am	(P-2533; A-7796)	724.101	am	(P-9445)	725.115	am
611.630	am	(P-7629)	724.113	am	(P-9453)	725.119	n
					(P-16970/92; A-5806)	725.173	am
						725.210	am
						725.211	am
						725.212	am
						725.240	am
						725.242	am
						725.243	am

ILLINOIS REGISTER
VOLUME 17, ISSUE #29 SECTIONS AFFECTED INDEX July 16, 1993

TITLE 35 (CONT'D)				
728.107 am	(P-9317)	739.153	(P-9588)	
728.109 am	(P-9317)	739.154	(P-9588)	
728.114 n	(P-9317)	739.155	(P-9588)	
728.135 am	(P-16878/92; A-5727)	739.156	(P-9588)	
		739.157	(P-9588)	
		739.158	(P-9588)	
728.136 n	(P-9317)	739.159	(P-9588)	
728.140 n	(P-9317)	739.160	(P-9588)	
728.141 am	(P-16878/92; A-5727)	739.161	(P-9588)	
		739.162	(P-9588)	
728.142 am	(P-9317)	739.163	(P-9588)	
728.145 n	(P-9317)	739.164	(P-9588)	
728.146 n	(P-9317)	739.165	(P-9588)	
728.150 am	(P-9317)	739.166	(P-9588)	
728.Ap.B am	(P-9317)	739.167	(P-9588)	
728.Tb.A am	(P-9317)	739.170	(P-9588)	
728.Tb.B am	(P-9317)	739.171	(P-9588)	
728.Tb.D am	(P-16878/92; A-5727)	739.172	(P-9588)	
		739.173	(P-9588)	
728.Tb.F n	(P-9317)	739.174	(P-9588)	
728.Tb.G n	(P-9317)	739.175	(P-9588)	
730.168 am	(P-8428)	739.180	(P-9588)	
738.101 am	(P-16770/92; A-6190)	739.181	(P-9588)	
		739.182	(P-9588)	
		810.103	(P-8702)	
738.110 am	(P-16770/92; A-6190)	810.104	(P-8702)	
738.117 n	(P-8423)	811.101	(P-8726)	
739.100 n	(P-9588)	811.102	(P-8726)	
739.110 n	(P-9588)	811.103	(P-8726)	
739.111 n	(P-9588)	811.104	(P-8726)	
739.112 n	(P-9588)	811.105	(P-8726)	
739.120 n	(P-9588)	811.106	(P-8726)	
739.121 n	(P-9588)	811.107	(P-8726)	
739.122 n	(P-9588)	811.108	(P-8726)	
739.123 n	(P-9588)	811.109	(P-8726)	
739.124 n	(P-9588)	811.110	(P-8726)	
739.130 n	(P-9588)	811.111	(P-8726)	
739.131 n	(P-9588)	811.112	(P-8726)	
739.132 n	(P-9588)	811.113	(P-8726)	
739.140 n	(P-9588)	811.114	(P-8726)	
739.141 n	(P-9588)	811.115	(P-8726)	
739.142 n	(P-9588)	811.116	(P-8726)	
739.143 n	(P-9588)	811.117	(P-8726)	
739.144 n	(P-9588)	811.118	(P-8726)	
739.145 n	(P-9588)	811.119	(P-8726)	
739.146 n	(P-9588)	811.120	(P-8726)	
739.147 n	(P-9588)	811.121	(P-8726)	
739.150 n	(P-9588)	811.122	(P-8726)	
739.151 n	(P-9588)	811.123	(P-8726)	
739.152 n	(P-9588)	811.124	(P-8726)	

ILLINOIS REGISTER
VOLUME 17, ISSUE #29 SECTIONS AFFECTED INDEX July 16, 1993

TITLE 35 (CONT'D)				
811.711 am	(P-8726)	1422.125	n	(P-20002/92; A-9911)
811.712 am	(P-8726)	1422.126	n	(P-20002/92; A-9911)
811.713 am	(P-8726)	1422.127	n	(P-20002/92; A-9911)
811.714 am	(P-8726)	1422.Ap.A	n	(P-20002/92; A-9911)
811.715 am	(P-8726)	Tb.A	n	(P-20002/92; A-9911)
811.Ap.B n	(P-8726)	Tb.B	n	(P-20002/92; A-9911)
814.101 am	(P-8714)	Tb.C	n	(P-20002/92; A-9911)
814.102 am	(P-8714)	1422.Ap.B	n	(P-20002/92; A-9911)
814.103 am	(P-8714)			
814.104 am	(P-8714)			
814.105 am	(P-8714)			
814.107 n	(P-8714)			
814.108 n	(P-8714)			
814.302 am	(P-8714)			
814.402 am	(P-8714)			
814.501 am	(P-8714)			
858.207 am	(P-4621/92; A-4190)			
876. n	(E-16191/92; O-18856/92; RC-18857/92; M-2438)			
1420.101 am	(P-19625/92; A-9947)	180.92	n	(P-14006/92; A-123)
1420.102 am	(P-19625/92; A-9947)	180.94	n	(P-14006/92; A-123)
1420.103 n	(P-19625/92; A-9947)	180.100	am	(P-14006/92; A-123)
1420.104 n	(P-19625/92; A-9947)	190.35	n	(P-6599)
1420.105 n	(P-19625/92; A-9947)	190.70	am	(P-6599)
1420.106 n	(P-19625/92; A-9947)	190.75	n	(P-6599)
1420.107 n	(P-19625/92; A-9947)	190.165	am	(P-6599)
1420.120 n	(P-19625/92; A-9947)	400.110	re	(A-4464)
1421.101 n	(P-19615/92; A-10392)	400.120	re	(A-4464)
1421.110 n	(P-19615/92; A-10392)	400.130	re	(A-4464)
1421.111 n	(P-19615/92; A-10392)	400.140	re	(A-4464)
1421.120 n	(P-19615/92; A-10392)	400.141	re	(A-4464)
1421.121 n	(P-19615/92; A-10392)	400.142	re	(A-4464)
1421.130 n	(P-19615/92; A-10392)	400.143	re	(A-4464)
1421.131 n	(P-19615/92; A-10392)	400.150	re	(A-4464)
1421.140 n	(P-19615/92; A-10392)	400.205	re	(A-4464)
1421.141 n	(P-19615/92; A-10392)	400.210	re	(A-4464)
1421.142 n	(P-19615/92; A-10392)	400.220	re	(A-4464)
1421.143 n	(P-19615/92; A-10392)	400.230	re	(A-4464)
1422.101 n	(P-20002/92; A-9911)	400.240	re	(A-4464)
1422.105 n	(P-20002/92; A-9911)	400.250	re	(A-4464)
1422.106 n	(P-20002/92; A-9911)	400.260	re	(A-4464)
1422.110 n	(P-20002/92; A-9911)	400.270	re	(A-4464)
1422.111 n	(P-20002/92; A-9911)	400.280	re	(A-4464)
1422.120 n	(P-20002/92; A-9911)	400.290	re	(A-4464)
1422.121 n	(P-20002/92; A-9911)	400.310	re	(A-4464)
1422.122 n	(P-20002/92; O-8084; M-10007; A-9911)	400.410	re	(A-4464)
1422.123 n	(P-20002/92; A-9911)	400.420	re	(A-4464)
1422.124 n	(P-20002/92; A-9911)	400.430	re	(A-4464)
		400.440	re	(A-4464)

ILLINOIS REGISTER				ILLINOIS REGISTER			
Volume 17, Issue #29		SECTIONS AFFECTED INDEX		Volume 17, Issue #29		SECTIONS AFFECTED INDEX	
July 16, 1993				July 16, 1993			
TITLE 38 (CONT'D)		400.11460	re	(A-4464)	TITLE 38 (CONT'D)		
400.510	re	(A-4464)	400.1470	re	(A-4464)	400.1980	re
400.610	re	(A-4464)	400.1480	re	(A-4464)	400.1982	re
400.615	re	(A-4464)	400.1510	re	(A-4464)	400.1985	re
400.620	re	(A-4464)	400.1520	re	(A-4464)	400.1990	re
400.630	re	(A-4464)	400.1530	re	(A-4464)	400.1993	re
400.640	re	(A-4464)	400.1540	re	(A-4464)	400.1997	re
400.650	re	(A-4464)	400.1550	re	(A-4464)	400.2010	re
400.660	re	(A-4464)	400.1560	re	(A-4464)	400.2005	re
400.665	re	(A-4464)	400.1570	re	(A-4464)	400.2020	re
400.670	re	(A-4464)	400.1580	re	(A-4464)	400.2030	re
400.675	re	(A-4464)	400.1590	re	(A-4464)	400.2040	re
400.680	re	(A-4464)	400.1600	re	(A-4464)	400.2050	re
400.690	re	(A-4464)	400.1610	re	(A-4464)	400.2055	re
400.700	re	(A-4464)	400.1620	re	(A-4464)	400.2060	re
400.710	re	(A-4464)	400.1630	re	(A-4464)	400.2070	re
400.720	re	(A-4464)	400.1640	re	(A-4464)	400.2110	re
400.810	re	(A-4464)	400.1650	re	(A-4464)	400.2120	re
400.910	re	(A-4464)	400.1660	re	(A-4464)	400.2200	re
400.1010	re	(A-4464)	400.1670	re	(A-4464)	400.2300	re
400.1020	re	(A-4464)	400.1680	re	(A-4464)	400.2310	re
400.1030	re	(A-4464)	400.1690	re	(A-4464)	400.2320	re
400.1040	re	(A-4464)	400.1700	re	(A-4464)	400.2330	re
400.1050	re	(A-4464)	400.1710	re	(A-4464)	400.2340	re
400.1060	re	(A-4464)	400.1720	re	(A-4464)	400.2400	re
400.1070	re	(A-4464)	400.1730	re	(A-4464)	400.2410	re
400.1080	re	(A-4464)	400.1740	re	(A-4464)	400.2420	re
400.1090	re	(A-4464)	400.1750	re	(A-4464)	400.2500	re
400.1110	re	(A-4464)	400.1760	re	(A-4464)	400.2510	re
400.1120	re	(A-4464)	400.1770	re	(A-4464)	400.2520	re
400.1130	re	(A-4464)	400.1780	re	(A-4464)	400.2530	re
400.1140	re	(A-4464)	400.1790	re	(A-4464)	400.2540	re
400.1150	re	(A-4464)	400.1800	re	(A-4464)	400.2550	re
400.1160	re	(A-4464)	400.1810	re	(A-4464)	400.2700	re
400.1170	re	(A-4464)	400.1905	re	(A-4464)	400.2710	re
400.1180	re	(A-4464)	400.1910	re	(A-4464)	450.110	re
400.1190	re	(A-4464)	400.1915	re	(A-4464)	450.115	re
400.1200	re	(A-4464)	400.1920	re	(A-4464)	450.120	re
400.1210	re	(A-4464)	400.1925	re	(A-4464)	450.125	re
400.1220	re	(A-4464)	400.1930	re	(A-4464)	450.130	re
400.1310	re	(A-4464)	400.1935	re	(A-4464)	450.135	n
400.1320	re	(A-4464)	400.1940	re	(A-4464)	450.135	re
400.1330	re	(A-4464)	400.1945	re	(A-4464)	450.140	re
400.1340	re	(A-4464)	400.1950	re	(A-4464)	450.145	n
400.1410	re	(A-4464)	400.1955	re	(A-4464)	450.145	re
400.1420	re	(A-4464)	400.1970	re	(A-4464)	450.150	re
400.1430	re	(A-4464)	400.1972	re	(A-4464)	450.160	n
400.1440	re	(A-4464)	400.1975	re	(A-4464)	450.160	re
400.1450	re	(A-4464)					

ILLINOIS REGISTER
SECTIONS AFFECTED INDEX
Volume 17, Issue #29 July 16, 1993

TITLE 38 (CONT'D)

1000.620	re	(A-4464)	1000.1510	re	(A-4464)
1000.630	re	(A-4464)	1000.1520	re	(A-4464)
1000.640	re	(A-4464)	1000.1530	re	(A-4464)
1000.650	re	(A-4464)	1000.1540	re	(A-4464)
1000.660	re	(A-4464)	1000.1550	re	(A-4464)
1000.665	re	(A-4464)	1000.1560	re	(A-4464)
1000.670	re	(A-4464)	1000.1570	re	(A-4464)
1000.675	re	(A-4464)	1000.1580	re	(A-4464)
1000.680	re	(A-4464)	1000.1590	re	(A-4464)
1000.690	re	(A-4464)	1000.1600	re	(A-4464)
1000.700	re	(A-4464)	1000.1610	re	(A-4464)
1000.710	re	(A-4464)	1000.1620	re	(A-4464)
1000.720	re	(A-4464)	1000.1630	re	(A-4464)
1000.810	re	(A-4464)	1000.1640	re	(A-4464)
1000.910	re	(A-4464)	1000.1650	re	(A-4464)
1000.1010	re	(A-4464)	1000.1660	re	(A-4464)
1000.1020	re	(A-4464)	1000.1670	re	(A-4464)
1000.1030	re	(A-4464)	1000.1680	re	(A-4464)
1000.1040	re	(A-4464)	1000.1690	re	(A-4464)
1000.1050	re	(A-4464)	1000.1700	re	(A-4464)
1000.1060	re	(A-4464)	1000.1710	re	(A-4464)
1000.1070	re	(A-4464)	1000.1720	re	(A-4464)
1000.1080	re	(A-4464)	1000.1730	re	(A-4464)
1000.1090	re	(A-4464)	1000.1740	re	(A-4464)
1000.1110	re	(A-4464)	1000.1750	re	(A-4464)
1000.1120	re	(A-4464)	1000.1760	re	(A-4464)
1000.1130	re	(A-4464)	1000.1770	re	(A-4464)
1000.1140	re	(A-4464)	1000.1780	re	(A-4464)
1000.1150	re	(A-4464)	1000.1790	re	(A-4464)
1000.1160	re	(A-4464)	1000.1800	re	(A-4464)
1000.1170	re	(A-4464)	1000.1810	re	(A-4464)
1000.1180	re	(A-4464)	1000.1905	re	(A-4464)
1000.1190	re	(A-4464)	1000.1910	re	(A-4464)
1000.1200	re	(A-4464)	1000.1915	re	(A-4464)
1000.1210	re	(A-4464)	1000.1920	re	(A-4464)
1000.1220	re	(A-4464)	1000.1925	re	(A-4464)
1000.1310	re	(A-4464)	1000.1930	re	(A-4464)
1000.1320	re	(A-4464)	1000.1935	re	(A-4464)
1000.1330	re	(A-4464)	1000.1940	re	(A-4464)
1000.1340	re	(A-4464)	1000.1945	re	(A-4464)
1000.1410	re	(A-4464)	1000.1950	re	(A-4464)
1000.1420	re	(A-4464)	1000.1955	re	(A-4464)
1000.1430	re	(A-4464)	1000.1970	re	(A-4464)
1000.1440	re	(A-4464)	1000.1972	re	(A-4464)
1000.1450	re	(A-4464)	1000.1975	re	(A-4464)
1000.1460	re	(A-4464)	1000.1980	re	(A-4464)
1000.1470	re	(A-4464)	1000.1982	re	(A-4464)
1000.1480	re	(A-4464)	1000.1985	re	(A-4464)

ILLINOIS REGISTER
SECTIONS AFFECTED INDEX
Volume 17, Issue #29 July 16, 1993

TITLE 38 (CONT'D)

450.820	re	(A-4475)	450.1560	re	(A-4475)
450.830	re	(A-4475)	450.1570	re	(A-4475)
450.840	re	(A-4475)	450.1580	re	(A-4475)
450.850	re	(A-4475)	450.1590	re	(A-4475)
450.860	re	(A-4475)	450.1595	re	(A-4475)
450.910	re	(A-4475)	450.1600	re	(A-4475)
450.920	re	(A-4475)	450.1610	re	(A-4475)
450.930	re	(A-4475)	450.1620	re	(A-4475)
450.940	am	(P-17570/92; A-3513)	450.1630	re	(A-4475)
450.940	re	(A-4475)	450.1640	re	(A-4475)
450.950	re	(A-4475)	450.1650	re	(A-4475)
450.1010	re	(A-4475)	450.1660	re	(A-4475)
450.1020	am	(P-17570/92; A-3513)	450.1670	re	(A-4475)
450.1030	re	(A-4475)	450.1680	re	(A-4475)
450.1110	re	(A-4475)	450.1690	re	(A-4475)
450.1120	re	(A-4475)	450.1700	re	(A-4475)
450.1130	re	(A-4475)	450.1720	re	(A-4475)
450.1140	re	(A-4475)	450.1730	re	(A-4475)
450.1150	re	(A-4475)	450.1740	re	(A-4475)
450.1160	re	(A-4475)	450.1750	re	(A-4475)
450.1170	re	(A-4475)	450.1760	re	(A-4475)
450.1175	re	(A-4475)	450.1770	re	(A-4475)
450.1210	re	(A-4475)	450.1790	re	(A-4475)
450.1220	re	(A-4475)	1000.110	re	(A-4464)
450.1230	re	(A-4475)	1000.130	re	(A-4464)
450.1240	re	(A-4475)	1000.140	re	(A-4464)
450.1250	re	(A-4475)	1000.141	re	(A-4464)
450.1305	re	(A-4475)	1000.142	re	(A-4464)
450.1310	re	(A-4475)	1000.143	re	(A-4464)
450.1315	re	(A-4475)	1000.150	re	(A-4464)
450.1320	re	(A-4475)	1000.205	re	(A-4464)
450.1325	re	(A-4475)	1000.210	re	(A-4464)
450.1330	re	(A-4475)	1000.220	re	(A-4464)
450.1335	am	(P-17570/92; A-3513)	1000.230	re	(A-4464)
450.1340	re	(A-4475)	1000.240	re	(A-4464)
450.1345	re	(A-4475)	1000.250	re	(A-4464)
450.1350	re	(A-4475)	1000.260	re	(A-4464)
450.1355	re	(A-4475)	1000.270	re	(A-4464)
450.1360	re	(A-4475)	1000.280	re	(A-4464)
450.1410	re	(A-4475)	1000.290	re	(A-4464)
450.1420	re	(A-4475)	1000.310	re	(A-4464)
450.1510	re	(A-4475)	1000.410	re	(A-4464)
450.1520	re	(A-4475)	1000.420	re	(A-4464)
450.1530	re	(A-4475)	1000.430	re	(A-4464)
450.1540	re	(A-4475)	1000.440	re	(A-4464)
450.1550	re	(A-4475)	1000.510	re	(A-4464)
			1000.610	re	(A-4464)
			1000.615	re	(A-4464)

ILLINOIS REGISTER

SECTIONS AFFECTED INDEX

Volume 17, Issue #29 July 16, 1993

TITLE 38 (CONT'D)		TITLE 38 (CONT'D)	
1000.1990 re	(A-4464)	1050.1110 re	(A-4475)
1000.1993 re	(A-4464)	1050.1120 re	(A-4475)
1000.1997 re	(A-4464)	1050.1130 re	(A-4475)
1000.2005 re	(A-4464)	1050.1140 re	(A-4475)
1000.2010 re	(A-4464)	1050.1150 re	(A-4475)
1000.2020 re	(A-4464)	1050.1160 re	(A-4475)
1000.2030 re	(A-4464)	1050.1170 re	(A-4475)
1000.2040 re	(A-4464)	1050.1175 re	(A-4475)
1000.2050 re	(A-4464)	1050.1210 re	(A-4475)
1000.2055 re	(A-4464)	1050.1220 re	(A-4475)
1000.2060 re	(A-4464)	1050.1230 re	(A-4475)
1000.2070 re	(A-4464)	1050.1240 re	(A-4475)
1000.2105 re	(A-4464)	1050.1250 re	(A-4475)
1000.2110 re	(A-4464)	1050.1305 re	(A-4475)
1000.2120 re	(A-4464)	1050.1310 re	(A-4475)
1000.2200 re	(A-4464)	1050.1315 re	(A-4475)
1000.2300 re	(A-4464)	1050.1320 re	(A-4475)
1000.2310 re	(A-4464)	1050.1325 re	(A-4475)
1000.2320 re	(A-4464)	1050.1330 re	(A-4475)
1000.2330 re	(A-4464)	1050.1335 re	(A-4475)
1000.2340 re	(A-4464)	1050.1340 re	(A-4475)
1000.2400 re	(A-4464)	1050.1345 re	(A-4475)
1000.2410 re	(A-4464)	1050.1350 re	(A-4475)
1000.2420 re	(A-4464)	1050.1355 re	(A-4475)
1000.2500 re	(A-4464)	1050.1360 re	(A-4475)
1000.2510 re	(A-4464)	1050.1410 re	(A-4475)
1000.2520 re	(A-4464)	1050.1420 re	(A-4475)
1000.2530 re	(A-4464)	1050.1510 re	(A-4475)
1000.2540 re	(A-4464)	1050.1520 re	(A-4475)
1000.2550 re	(A-4464)	1050.1530 re	(A-4475)
1000.2700 re	(A-4464)	1050.1540 re	(A-4475)
1000.2710 re	(A-4464)	1050.1550 re	(A-4475)
1050.110 re	(A-4475)	1050.1560 re	(A-4475)
1050.115 re	(A-4475)	1050.1570 re	(A-4475)
1050.120 re	(A-4475)	1050.1580 re	(A-4475)
1050.125 re	(A-4475)	1050.1590 re	(A-4475)
1050.130 re	(A-4475)	1050.1595 re	(A-4475)
1050.135 re	(A-4475)	1050.1600 re	(A-4475)
1050.140 re	(A-4475)	1050.1610 re	(A-4475)
1050.145 re	(A-4475)	1050.1620 re	(A-4475)
1050.150 re	(A-4475)	1050.1630 re	(A-4475)
1050.160 re	(A-4475)	1050.1640 re	(A-4475)
1050.165 re	(A-4475)	1050.1650 re	(A-4475)
1050.170 re	(A-4475)	1050.1660 re	(A-4475)
1050.175 re	(A-4475)	1050.1670 re	(A-4475)
1050.185 re	(A-4475)	1050.1680 re	(A-4475)
1050.210 re	(A-4475)	1050.1690 re	(A-4475)
1050.220 re	(A-4475)	1050.1700 re	(A-4475)

SAI-27

SAI-28

ILLINOIS REGISTER

Volume 17, Issue #29 July 16, 1993

TITLE 38 (CONT'D)		TITLE 38 (CONT'D)	
1050.1720 re	(A-4475)	1050.1730 re	(A-4475)
1050.1730 re	(A-4475)	1050.1750 re	(A-4475)
1050.1750 re	(A-4475)	1050.1760 re	(A-4475)
1050.1770 re	(A-4475)	1050.1790 re	(A-4475)
1050.1800 re	(A-4475)	1050.1810 re	(A-4475)
1050.1815 re	(A-4475)	1050.1820 re	(A-4475)
1050.1825 re	(A-4475)	1050.1830 re	(A-4475)
1050.1835 re	(A-4475)	1050.1840 re	(A-4475)
1050.1845 re	(A-4475)	1050.1850 re	(A-4475)
1050.1855 re	(A-4475)	1050.1860 re	(A-4475)
1050.1865 re	(A-4475)	1050.1870 re	(A-4475)
1050.1875 re	(A-4475)	1050.1880 re	(A-4475)
1050.1885 re	(A-4475)	1050.1890 re	(A-4475)
1050.1900 re	(A-4475)	1050.1905 re	(A-4475)
1050.1910 re	(A-4475)	1050.1915 re	(A-4475)
1050.1920 re	(A-4475)	1050.1925 re	(A-4475)
1050.1930 re	(A-4475)	1050.1935 re	(A-4475)
1050.1940 re	(A-4475)	1050.1945 re	(A-4475)
1050.1950 re	(A-4475)	1050.1955 re	(A-4475)
1050.1960 re	(A-4475)	1050.1965 re	(A-4475)
1050.1970 re	(A-4475)	1050.1975 re	(A-4475)
1050.1980 re	(A-4475)	1050.1985 re	(A-4475)

ILLINOIS REGISTER

Volume 17, Issue #29

SECTIONS AFFECTED INDEX

July 16, 1993

TITLE 47 (CONT'D)

130.110	r	(P-1; A-7212)	370.704	n	(P-11713/92; A-319)
370.101	n	(P-11713/92; A-319)	370.705	n	(P-11713/92; A-319)
370.102	n	(P-11713/92; A-319)	370.706	n	(P-11713/92; A-319)
370.103	n	(P-11713/92; A-319)	370.707	n	(P-11713/92; A-319)
370.104	n	(P-11713/92; A-319)	370.801	n	(P-11713/92; A-319)
370.105	n	(P-11713/92; A-319)	370.802	n	(P-11713/92; A-319)
370.106	n	(P-11713/92; A-319)	370.901	n	(P-11713/92; A-319)
370.107	n	(P-11713/92; A-319)	370.902	n	(P-11713/92; A-319)
370.108	n	(P-11713/92; A-319)	370.903	n	(P-11713/92; A-319)
370.109	n	(P-11713/92; A-319)	370.904	n	(P-11713/92; A-319)
370.110	n	(P-11713/92; A-319)	370.1001	n	(P-11713/92; A-319)
370.111	n	(P-11713/92; A-319)	370.1002	n	(P-11713/92; A-319)
370.112	n	(P-11713/92; A-319)	370.1003	n	(P-11713/92; A-319)
370.113	n	(P-11713/92; A-319)	370.1004	n	(P-11713/92; A-319)
370.201	n	(P-11713/92; A-319)	370.1005	n	(P-11713/92; A-319)
370.202	n	(P-11713/92; A-319)	370.1006	n	(P-11713/92; A-319)
370.203	n	(P-11713/92; A-319)	370.1007	n	(P-11713/92; A-319)
370.204	n	(P-11713/92; A-319)	370.1101	n	(P-11713/92; A-319)
370.205	n	(P-11713/92; A-319)	700.100	n	(P-4530)
370.206	n	(P-11713/92; A-319)	700.110	n	(P-4530)
370.207	n	(P-11713/92; A-319)	700.200	n	(P-4530)
370.208	n	(P-11713/92; A-319)	700.205	n	(P-4530)
370.209	n	(P-11713/92; A-319)	700.207	n	(P-4530)
370.210	n	(P-11713/92; A-319)	700.209	n	(P-4530)
370.211	n	(P-11713/92; A-319)	700.211	n	(P-4530)
370.212	n	(P-11713/92; A-319)	700.213	n	(P-4530)
370.301	n	(P-11713/92; A-319)	700.220	n	(P-4530)
370.302	n	(P-11713/92; A-319)	700.221	n	(P-4530)
370.303	n	(P-11713/92; A-319)	700.223	n	(P-4530)
370.304	n	(P-11713/92; A-319)	700.224	n	(P-4530)
370.401	n	(P-11713/92; A-319)	700.225	n	(P-4530)
370.402	n	(P-11713/92; A-319)	700.226	n	(P-4530)
370.501	n	(P-11713/92; A-319)	700.227	n	(P-4530)
370.502	n	(P-11713/92; A-319)	700.228	n	(P-4530)
370.503	n	(P-11713/92; A-319)	700.250	n	(P-4530)
370.504	n	(P-11713/92; A-319)	700.252	n	(P-4530)
370.505	n	(P-11713/92; A-319)	700.260	n	(P-4530)
370.506	n	(P-11713/92; A-319)	700.265	n	(P-4530)
370.507	n	(P-11713/92; A-319)	700.270	n	(P-4530)
370.601	n	(P-11713/92; A-319)	700.275	n	(P-4530)
370.603	n	(P-11713/92; A-319)	700.280	n	(P-4530)
370.604	n	(P-11713/92; A-319)			
370.605	n	(P-11713/92; A-319)			
370.701	n	(P-11713/92; A-319)			
370.702	n	(P-11713/92; A-319)			
370.703	n	(P-11713/92; A-319)			

TITLE 50

802.10	am	(P-44; A-6783) (E-163)
802.20	am	(P-44; A-6783) (E-163)
802.30	am	(P-44; A-6783) (E-163)
802.40	am	(P-44; A-6783) (E-163)
802.50	am	(P-44; A-6783) (E-163)
802.60	am	(P-44; A-6783) (E-163)

SAI-31

ILLINOIS REGISTER

Volume 17, Issue #29

SECTIONS AFFECTED INDEX

July 16, 1993

TITLE 50 (CONT'D)

802.70	am	(P-44; A-6783) (E-163)	1250.30	n	(P-3985)
802.80	am	(P-44; A-6783) (E-163)	1250.40	n	(P-3985)
805.10	am	(P-42; A-6775) (E-154)	1408.20	n	(P-8735/92; A-4195)
805.20	am	(P-42; A-6775) (E-154)	1408.30	n	(P-8735/92; A-4195)
805.30	am	(P-42; A-6775) (E-154)	1408.40	n	(P-8735/92; A-4195)
805.40	am	(P-42; A-6775) (E-154)	1408.50	n	(P-8735/92; A-4195)
805.50	am	(P-42; A-6775) (E-154)	1408.60	n	(P-8735/92; A-4195)
805.60	am	(P-42; A-6775) (E-154)	1408.70	n	(P-8735/92; A-4195)
805.70	am	(P-42; A-6775) (E-154)	1408.80	n	(P-8735/92; A-4195)
904.20	am	(P-3993)	1408.90	n	(P-8735/92; A-4195)
916.10	am	(P-5992)	1408.11.A	n	(P-8735/92; A-4195)
916.20	am	(P-5992)	2013.10	am	(P-10375/92; A-1525)
916.30	am	(P-5992)	2013.20	am	(P-10375/92; A-1525)
916.40	am	(P-5992)	2013.30	am	(P-10375/92; A-1525)
916.50	am	(P-5992)	2013.40	am	(P-10375/92; A-1525)
916.Ex.B	am	(P-5992)	2013.50	am	(P-10375/92; A-1525)
916.Ex.C	n	(P-5992)	2013.60	am	(P-10375/92; A-1525)
916.11.A	n	(P-5992)	2013.70	am	(P-10375/92; A-1525)
916.11.B	n	(P-5992)	2015.10	n	(P-696; A-8170)
916.11.C	n	(P-5992)	2015.20	n	(P-696; A-8170)
920.10	r	(P-2530)	2015.30	n	(P-696; A-8170)
927.10	am	(P-2106)	2015.40	n	(P-696; A-8170)
927.20	am	(P-2106)	2015.50	n	(P-696; A-8170)
927.30	am	(P-2106)	2015.60	n	(P-696; A-8170)
932.20	am	(P-7279/92; O-1240; M-6893)	7020.80	am	(P-14511/92; A-2206)
932.40	am	(P-7279/92; O-1240; M-6893; A-6768)			
932.60	am	(P-7279/92; O-1240; M-6893; A-6768)			
939.10	am	(P-4768)	2520.700	#	(P-10)
939.20	am	(P-4768)	2520.700	am	(P-10)
939.30	am	(P-4768)	2520.710	am	(P-10)
939.11.A	am	(P-4768)	2520.720	am	(P-10)
939.11.B	am	(P-4768)	2520.730	am	(P-10)
939.11.C	am	(P-4768)	2520.740	#	(P-10)
939.11.D	am	(P-4768)	2520.750	r	(P-10)
939.11.E	am	(P-4768)	2520.760	am	(P-10)
939.11.F	am	(P-4768)	2520.770	am	(P-10)
1103.10	n	(P-8411)	2520.780	am	(P-10)
1103.20	n	(P-8411)	2520.795	am	(P-10)
1103.30	n	(P-8411)	2520.797	am	(P-10)
1103.40	n	(P-8411)	2520.799	am	(P-10)
1103.50	n	(P-8411)	2520.800	am	(P-10)
1103.Ex.A	n	(P-8411)	2712.201	am	(P-17853/92; A-3194)
1250.10	n	(P-3985)	2712.203	am	(P-17853/92; A-3194)
1250.20	n	(P-3985)	2712.205	am	(P-17853/92; A-3194)

TITLE 56

350.280	am	(P-3780/92; O-180; R-1239; A-1074)
		(E-7072)
2520.700	#	(P-10)
2520.700	am	(P-10)
2520.710	am	(P-10)
2520.720	am	(P-10)
2520.730	am	(P-10)
2520.740	#	(P-10)
2520.750	r	(P-10)
2520.760	am	(P-10)
2520.770	am	(P-10)
2520.780	am	(P-10)
2520.790	am	(P-10)
2520.795	am	(P-10)
2520.797	am	(P-10)
2520.799	am	(P-10)
2520.800	am	(P-10)
2600.50	am	(P-7120/92; A-6483)
2712.201	am	(P-17853/92; A-3194)
2712.203	am	(P-17853/92; A-3194)
2712.205	am	(P-17853/92; A-3194)

SAI-32

ILLINOIS REGISTER

Volume 17, Issue #29

July 16, 1993

SECTIONS AFFECTED INDEX

TITLE 56 (CONT'D)	103.65	am	(P-14078/92; A-10282)
2712.207	103.70	am	(P-14078/92; A-10282)
2720.100	103.80	am	(P-14078/92; A-10282)
2720.110	103.90	am	(P-14078/92; A-10282)
2720.115	103.95	n	(P-14078/92; A-10282)
2720.135	103.100	am	(P-14078/92; A-10282)
2720.145	103.110	am	(P-14078/92; A-10282)
2732.225	103.120	am	(P-14078/92; A-10282)
2732.227	103.130	am	(P-14078/92; A-10282)
2732.30	103.140	r	(P-14078/92; A-10282)
2765.5	103.150	am	(P-14078/92; A-10282)
2765.50	103.160	am	(P-14078/92; A-10282)
2765.64	103.165	n	(P-14078/92; A-10282)
2765.66	103.170	am	(P-14078/92; A-10282)
2765.70	103.180	am	(P-14078/92; A-10282)
2765.70	103.190	am	(P-14078/92; A-10282)
2765.71	103.200	r	(P-14078/92; A-10282)
2765.74	103.210	n	(P-14078/92; A-10282)
2765.75	119.120	am	(P-6397)
2765.328	119.260	am	(P-6397)
2765.329	119.270	n	(P-6397)
2765.330	119.300	am	(P-6397)
2765.333	121.10	n	(P-15715/92; RC-3689; A-4261)
2765.334	121.15	n	(P-15715/92; RC-3689; A-4261)
2765.335	121.20	n	(P-15715/92; RC-3689; A-4261)
2770.100	121.25	n	(P-15715/92; RC-3689; A-4261)
2770.105	121.30	n	(P-15715/92; RC-3689; A-4261)
2770.110	121.35	n	(P-15715/92; RC-3689; A-4261)
2840.25	121.40	n	(P-15715/92; RC-3689; A-4261)
2840.125	121.45	n	(P-15715/92; RC-3689; A-4261)
2865.1	121.50	n	(P-15715/92; RC-3689; A-4261)
2865.50	121.55	n	(P-15715/92; RC-3689; A-4261)
2865.60	121.60	n	(P-15715/92; RC-3689; A-4261)
2865.115	121.65	n	(P-15715/92; RC-3689; A-4261)
2865.210	121.70	n	(P-15715/92; RC-3689; A-4261)
2865.215	121.75	n	(P-15715/92; RC-3689; A-4261)
6000.120	121.80	n	(P-15715/92; RC-3689; A-4261)
TITLE 59	103.10	am	(P-10688)
101.75	103.10	am	(P-14078/92; A-10282)
103.10	103.11	n	(P-14078/92; A-10282)
103.11	103.15	n	(P-14078/92; A-10282)
103.15	103.20	am	(P-14078/92; A-10282)
103.20	103.25	n	(P-14078/92; A-10282)
103.30	103.30	n	(P-14078/92; A-10282)
103.40	103.40	r	(P-14078/92; A-10282)
103.50	103.50	am	(P-14078/92; A-10282)
103.60	103.60	n	(P-14078/92; A-10282)

SAI-33

ILLINOIS REGISTER

Volume 17, Issue #29

July 16, 1993

SECTIONS AFFECTED INDEX

TITLE 59 (CONT'D)	121.75	n	(P-15715/92; RC-3689; A-4261)
121.80	121.80	n	(P-15715/92; RC-3689; A-4261)
121.85	121.85	n	(P-15715/92; RC-3689; A-4261)
121.90	121.90	n	(P-15715/92; RC-3689; A-4261)
121.95	121.95	n	(P-15715/92; RC-3689; A-4261)
121.100	121.100	n	(P-15715/92; RC-3689; A-4261)
121.105	121.105	n	(P-15715/92; RC-3689; A-4261)
121.110	121.110	n	(P-15715/92; RC-3689; A-4261)
121.115	121.115	n	(P-15715/92; RC-3689; A-4261)
121.120	121.120	n	(P-15715/92; RC-3689; A-4261)
121.130	121.130	n	(P-15715/92; RC-3689; A-4261)
121.135	121.135	n	(P-15715/92; RC-3689; A-4261)
121.140	121.140	n	(P-15715/92; RC-3689; A-4261)
121.145	121.145	n	(P-15715/92; RC-3689; A-4261)
121.Ap.A	121.Ap.A	n	(P-15715/92; RC-3689; A-4261)
122.10	122.10	n	(P-15691/92; RC-3688; A-4236)
122.115	122.115	n	(P-15691/92; RC-3688; A-4236)
122.20	122.20	n	(P-15691/92; RC-3688; A-4236)
122.25	122.25	n	(P-15691/92; RC-3688; A-4236)
122.30	122.30	n	(P-15691/92; RC-3688; A-4236)
122.31	122.31	n	(P-15691/92; RC-3688; A-4236)
122.35	122.35	n	(P-15691/92; RC-3688; A-4236)
122.40	122.40	n	(P-15691/92; RC-3688; A-4236)
122.45	122.45	n	(P-15691/92; RC-3688; A-4236)
TITLE 62	240.131	n	(P-13722/92; A-2217)
240.132	240.132	n	(P-13722/92; A-2217)
240.133	240.133	n	(P-13722/92; A-2217)
240.160	240.160	am	(P-13722/92; A-2217)
240.170	240.170	am	(P-13722/92; A-2217)
240.180	240.180	am	(P-13722/92; A-2217)
240.190	240.190	am	(P-13722/92; A-2217)
240.195	240.195	am	(P-13722/92; A-2217)
240.1200	240.1200	am	(E-1195)
240.1205	240.1205	n	(P-3771)
240.1210	240.1210	n	(P-3771)
240.1220	240.1220	n	(P-3771)
240.1230	240.1230	n	(P-3771)
240.1240	240.1240	n	(P-3771)
240.1250	240.1250	n	(P-3771)
240.1260	240.1260	n	(P-3771)

SAI-34

ILLINOIS REGISTER				ILLINOIS REGISTER			
Volume 17, Issue #29		SECTIONS AFFECTED INDEX		Volume 17, Issue #29		SECTIONS AFFECTED INDEX	
TITLE 62 (CONT'D)		July 16, 1993		July 16, 1993		July 16, 1993	
TITLE 62 (CONT'D)		am		am		n	
1480.150	am	(P-4149; A-11162)		1480.150	am	(P-4149; A-11162)	
1480.190	am	(P-4149; A-11162)		1480.190	am	(P-4149; A-11162)	
TITLE 68		am		am		am	
750.1010	am	(P-15056/92; A-417)		750.1010	am	(P-15056/92; A-417)	
750.3000	am	(P-15056/92; A-417)		750.3000	am	(P-15056/92; A-417)	
750.3010	am	(P-15056/92; A-417)		750.3010	am	(P-15056/92; A-417)	
750.3055	am	(P-15056/92; A-417)		750.3055	am	(P-15056/92; A-417)	
750.4000	am	(P-15056/92; A-417)		750.4000	am	(P-15056/92; A-417)	
750.4010	am	(P-15056/92; A-417)		750.4010	am	(P-15056/92; A-417)	
1150.40	am	(P-17042/92; A-1554)		1150.40	am	(P-17042/92; A-1554)	
1210.10	am	(P-16374/92; A-1535)		1210.10	am	(P-16374/92; A-1535)	
1210.20	am	(P-16374/92; A-1535)		1210.20	am	(P-16374/92; A-1535)	
1210.25	n	(P-16374/92; A-1535)		1210.25	n	(P-16374/92; A-1535)	
1210.30	r	(P-16374/92; A-1535)		1210.30	r	(P-16374/92; A-1535)	
1210.40	r	(P-16374/92; A-1535)		1210.40	r	(P-16374/92; A-1535)	
1210.50	r	(P-16374/92; A-1535)		1210.50	r	(P-16374/92; A-1535)	
1210.60	am	(P-16374/92; A-1535)		1210.60	am	(P-16374/92; A-1535)	
1210.70	am	(P-16374/92; A-1535)		1210.70	am	(P-16374/92; A-1535)	
1210.80	am	(P-16374/92; A-1535)		1210.80	am	(P-16374/92; A-1535)	
1210.90	am	(P-16374/92; A-1535)		1210.90	am	(P-16374/92; A-1535)	
1210.100	r	(P-16374/92; A-1535)		1210.100	r	(P-16374/92; A-1535)	
1210.105	n	(P-16374/92; A-1535)		1210.105	n	(P-16374/92; A-1535)	
1210.110	am	(P-16374/92; A-1535)		1210.110	am	(P-16374/92; A-1535)	
1210.120	r	(P-16374/92; A-1535)		1210.120	r	(P-16374/92; A-1535)	
1210.130	r	(P-16374/92; A-1535)		1210.130	r	(P-16374/92; A-1535)	
1210.140	am	(P-16374/92; A-1535)		1210.140	am	(P-16374/92; A-1535)	
1210.150	am	(P-16374/92; A-1535)		1210.150	am	(P-16374/92; A-1535)	
1210.160	am	(P-16374/92; A-1535)		1210.160	am	(P-16374/92; A-1535)	
1210.170	am	(P-16374/92; A-1535)		1210.170	am	(P-16374/92; A-1535)	
1210.180	am	(P-16374/92; A-1535)		1210.180	am	(P-16374/92; A-1535)	
1210.190	am	(P-16374/92; A-1535)		1210.190	am	(P-16374/92; A-1535)	
1210.200	r	(P-16374/92; A-1535)		1210.200	r	(P-16374/92; A-1535)	
1210.210	r	(P-16374/92; A-1535)		1210.210	r	(P-16374/92; A-1535)	
1210.220	r	(P-16374/92; A-1535)		1210.220	r	(P-16374/92; A-1535)	
1210.230	r	(P-16374/92; A-1535)		1210.230	r	(P-16374/92; A-1535)	
1210.235	am	(P-16374/92; A-1535)		1210.235	am	(P-16374/92; A-1535)	
1210.240	am	(P-16374/92; A-1535)		1210.240	am	(P-16374/92; A-1535)	
1210.250	r	(P-16374/92; A-1535)		1210.250	r	(P-16374/92; A-1535)	
1220.100	n	(P-8127; E-8309)		1220.100	n	(P-8127; E-8309)	
1220.110	am	(P-8127; E-8309)		1220.110	am	(P-8127; E-8309)	
1220.120	am	(P-8127; E-8309)		1220.120	am	(P-8127; E-8309)	
1220.160	am	(P-15762/92; A-1559)		1220.160	am	(P-15762/92; A-1559)	
1220.170	n	(P-15762/92; A-1559)		1220.170	n	(P-15762/92; A-1559)	
1220.220	am	(P-8127; E-8309)		1220.220	am	(P-8127; E-8309)	
1220.240	am	(P-8127; E-8309)		1220.240	am	(P-8127; E-8309)	
1220.260	am	(P-15762/92; A-1559)		1220.260	am	(P-15762/92; A-1559)	
1220.270	n	(P-15762/92; A-1559)		1220.270	n	(P-15762/92; A-1559)	

ILLINOIS REGISTER				ILLINOIS REGISTER			
Volume 17, Issue #29		SECTIONS AFFECTED INDEX		Volume 17, Issue #29		SECTIONS AFFECTED INDEX	
TITLE 62 (CONT'D)		July 16, 1993		July 16, 1993		July 16, 1993	
TITLE 62 (CONT'D)		am		am		am	
240.1270	n	(P-3771)		1817.117	am	(P-10726/92; A-11031)	
240.1280	n	(P-3771)		1817.151	am	(P-10726/92; A-11031)	
1701.Ap.A	am	(P-10644/92; A-10947)		1817.182	am	(P-10726/92; A-11031)	
1702.11	am	(P-10631/92; A-10936)		1827.12	am	(P-10803/92; A-11091)	
1702.12	am	(P-10631/92; A-10936)		1843.12	am	(P-10807/92; A-11095)	
1702.17	am	(P-10631/92; A-10936)		1843.13	am	(P-10807/92; A-11095)	
1702.18	am	(P-10631/92; A-10936)		1843.14	am	(P-10807/92; A-11095)	
1705.21	am	(P-10790/92; A-11080)		1843.15	am	(P-10807/92; A-11095)	
1761.11	am	(P-10596/92; A-10909)		1843.16	r	(P-10807/92; A-11095)	
1761.12	am	(P-10596/92; A-10909)		1843.17	r	(P-10807/92; A-11095)	
1764.19	am	(P-10831/92; A-11114)		1843.20	r	(P-10807/92; A-11095)	
1772.12	am	(P-10762/92; A-11058)		1843.21	r	(P-10807/92; A-11095)	
1773.13	am	(P-10768/92; A-11063)		1845.12	am	(P-10619/92; A-10926)	
1773.15	am	(P-10768/92; A-11063)		1845.13	am	(P-10619/92; A-10926)	
1773.20	am	(P-10768/92; A-11063)		1845.17	am	(P-10619/92; A-10926)	
1773.21	am	(P-10768/92; A-11063)		1845.18	am	(P-10619/92; A-10926)	
1774.11	am	(P-10793/92; A-11083)		1845.19	r	(P-10619/92; A-10926)	
1774.13	am	(P-10793/92; A-11083)		1845.20	am	(P-10619/92; A-10926)	
1774.15	am	(P-10793/92; A-11083)		1846.17	am	(P-10691/92; A-10997)	
1775.1	r	(P-10590/92; A-10907)		1846.18	am	(P-10691/92; A-10997)	
1775.11	r	(P-10590/92; A-10907)		1847.1	n	(P-10596/92; A-10887)	
1775.13	r	(P-10590/92; A-10907)		1847.2	n	(P-10596/92; A-10887)	
1777.17	am	(P-10640/92; A-10943)		1847.3	n	(P-10596/92; A-10887)	
1778.15	am	(P-10758/92; A-11027)		1847.4	n	(P-10596/92; A-10887)	
1779.19	am	(P-10835/92; A-11118)		1847.5	n	(P-10596/92; A-10887)	
1780.21	am	(P-10839/92; A-11122)		1847.6	n	(P-10596/92; A-10887)	
1780.38	am	(P-10839/92; A-11122)		1847.7	n	(P-10596/92; A-10887)	
1783.19	am	(P-10849/92; A-11131)		1847.8	n	(P-10596/92; A-10887)	
1784.14	am	(P-10853/92; A-11135)		1847.9	n	(P-10596/92; A-10887)	
1784.18	am	(P-10853/92; A-11135)		1848.1	n	(P-10669/92; A-10973)	
1784.27	r	(P-10853/92; A-11135)		1848.2	n	(P-10669/92; A-10973)	
1785.13	am	(P-10784/92; A-11075)		1848.3	n	(P-10669/92; A-10973)	
1800.11	am	(P-10607/92; A-10916)		1848.5	n	(P-10669/92; A-10973)	
1800.40	am	(P-10607/92; A-10916)		1848.6	n	(P-10669/92; A-10973)	
1800.50	am	(P-10607/92; A-10916)		1848.7	n	(P-10669/92; A-10973)	
1816.42	am	(P-10695/92; A-11001)		1848.8	n	(P-10669/92; A-10973)	
1816.43	am	(P-10695/92; A-11001)		1848.9	n	(P-10669/92; A-10973)	
1816.49	am	(P-10695/92; A-11001)		1848.11	n	(P-10669/92; A-10973)	
1816.84	am	(P-10695/92; A-11001)		1848.12	n	(P-10669/92; A-10973)	
1816.116	am	(P-10695/92; A-11001)		1848.13	n	(P-10669/92; A-10973)	
1816.117	am	(P-10695/92; A-11001)		1848.15	n	(P-10669/92; A-10973)	
1816.151	am	(P-10695/92; A-11001)		1848.16	n	(P-10669/92; A-10973)	
1817.42	am	(P-10726/92; A-11031)		1848.17	n	(P-10669/92; A-10973)	
1817.43	am	(P-10726/92; A-11031)		1848.18	n	(P-10669/92; A-10973)	
1817.49	am	(P-10726/92; A-11031)		1848.19	n	(P-10669/92; A-10973)	
1817.84	am	(P-10726/92; A-11031)		1848.20	n	(P-10669/92; A-10973)	
1817.116	am	(P-10726/92; A-11031)		1848.21	n	(P-10669/92; A-10973)	
				1848.22	n	(P-10669/92; A-10973)	
				1480.130	am	(P-4149; A-11162)	

ILLINOIS REGISTER			July 16, 1999	
Volume 17, Issue #29	SECTIONS AFFECTED INDEX			
535.400 am	(P-10911/92; A-8196)	682.140 am	(P-13428/92; A-8825)	
535.410 am	(P-10911/92; A-8196)	682.150 am	(P-13428/92; A-8825)	
535.415 am	(P-10911/92; A-8196)	682.170 am	(P-13428/92; A-8825)	
535.420 am	(P-10911/92; A-8196)	682.195 n	(P-13428/92; A-8825)	
535.430 am	(P-10911/92; A-8196)	682.200 am	(P-13428/92; A-8825)	
535.435 am	(P-10911/92; A-8196)	682.210 am	(P-13428/92; A-8825)	
535.440 am	(P-10911/92; A-8196)	682.215 am	(P-13428/92; A-8825)	
535.500 am	(P-10911/92; A-8196)	682.230 am	(P-13428/92; A-8825)	
535.510 am	(P-10911/92; A-8196)	682.250 am	(P-13428/92; A-8825)	
535.515 am	(P-10911/92; A-8196)	682.260 am	(P-13428/92; A-8825)	
535.520 am	(P-10911/92; A-8196)	682.320 am	(P-13428/92; A-8825)	
535.530 am	(P-10911/92; A-8196)	682.410 am	(P-13428/92; A-8825)	
535.535 am	(P-10911/92; A-8196)	682.420 am	(P-13428/92; A-8825)	
535.540 am	(P-10911/92; A-8196)	682.440 am	(P-13428/92; A-8825)	
535.600 am	(P-10911/92; A-8196)	682.450 am	(P-13428/92; A-8825)	
535.650 am	(P-10911/92; A-8196)	682.4p.A r	(P-13428/92; A-8825)	
535.750 am	(P-10911/92; A-8196)	682.4p.B r	(P-13428/92; A-8825)	
535.810 am	(P-10911/92; A-8196)	682.4p.C r	(P-13428/92; A-8825)	
535.1000 n	(P-10911/92; A-8196)	682.4p.D r	(P-13428/92; A-8825)	
540.65 am	(P-15023/92; A-8258)	682.4p.E r	(P-13428/92; A-8825)	
540.70 am	(P-15023/92; A-8258)	682.4p.F r	(P-13428/92; A-8825)	
540.80 am	(P-15023/92; A-8258)	682.4p.G r	(P-13428/92; A-8825)	
540.90 am	(P-15023/92; A-8258)	682.4p.H r	(P-13428/92; A-8825)	
630.20 am	(P-8103/92; A-3013)	682.4p.I r	(P-13428/92; A-8825)	
630.90 am	(P-8103/92; A-3013)	682.4p.J r	(P-13428/92; A-8825)	
630.200 am	(P-8103/92; A-3013)	693.15 am	(E-1213) (P-2711)	
630.220 am	(P-3069)	693.20 am	(E-1213) (P-2711)	
661.70 am	(P-757)	694.20 am	(P-13414/92; A-2306)	
665.100 am	(P-2697)	694.100 am	(P-13414/92; A-2306)	
665.110 r	(P-2697)	694.110 am	(P-13414/92; A-2306)	
665.120 am	(P-2697)	694.120 am	(P-13414/92; A-2306)	
665.140 am	(P-2697)	694.4p.A r	(P-13414/92; A-2306)	
665.150 am	(P-2697)	694.4p.B r	(P-13414/92; A-2306)	
665.210 am	(P-2697)	695.10 am	(P-13472/92; A-2975)	
665.220 am	(P-2697)	695.30 am	(P-13472/92; A-2975)	
665.230 am	(P-2697)	695.40 am	(P-13472/92; A-2975)	
665.240 am	(P-2697)	695.50 n	(P-13472/92; A-2975)	
665.280 am	(P-2697)	695.4p.A n	(P-13472/92; A-2975)	
665.310 am	(P-2697)	697.20 am	(E-1204) (P-2687)	
665.420 am	(P-2697)	697.30 am	(E-1204) (P-2687)	
665.430 am	(P-2697)	750.540 am	(P-723)	
665.510 am	(P-2697)	750.1810 am	(P-723)	
665.610 am	(P-2697)	750.1820 am	(P-723)	
665.620 am	(P-2697)	750.1830 am	(P-723)	
665.630 am	(P-2697)	750.1855 n	(P-723)	
665.640 am	(P-2697)	750.1865 am	(P-723)	
665.4p.B r	(P-2697)	750.4p.B am	(P-723)	
682.100 am	(P-13428/92; A-8825)	750.4p.C am	(P-723)	
682.130 am	(P-13428/92; A-8825)	750.4p.E n	(P-723)	

Volume 17, Issue #29		ILLINOIS REGISTER		SECTIONS AFFECTED INDEX		July 16, 1993	
775.10	am	(P-906)	790.910	r	(P-7198) (E-7283)		
775.20	am	(P-906)	790.920	r	(P-7198) (E-7283)		
775.70	am	(P-906)	790.940	r	(P-7198) (E-7283)		
775.110	am	(P-906)	790.974	am	(P-17496/92; W-7075)		
775.140	am	(P-906)		r	(P-7198) (E-7283)		
775.150	n	(P-906)	790.980	r	(P-7198) (E-7283)		
785.110	am	(P-920)	790.1020	r	(P-7198) (E-7283)		
785.120	am	(P-920)	790.1060	r	(P-7198) (E-7283)		
785.200	am	(P-920)	790.1100	r	(P-7198) (E-7283)		
785.290	am	(P-920)	790.1107	r	(P-7198) (E-7283)		
785.300	am	(P-920)	790.1112	r	(P-7198) (E-7283)		
785.355	n	(P-920)	790.1120	r	(P-7198) (E-7283)		
785.578	n	(P-920)	790.1125	r	(P-7198) (E-7283)		
785.1210	n	(P-920)	790.1127	r	(P-7198) (E-7283)		
785.1220	n	(P-920)	790.1129	r	(P-7198) (E-7283)		
790.20	am	(P-7198) (E-7283)	790.1131	r	(P-7198) (E-7283)		
790.40	am	(P-7198) (E-7283)	790.1140	r	(P-7198) (E-7283)		
790.420	r	(P-7198) (E-7283)	790.1180	r	(P-7198) (E-7283)		
790.460	r	(P-7198) (E-7283)	790.1200	r	(P-7198) (E-7283)		
790.480	r	(P-7198) (E-7283)	790.1220	r	(P-7198) (E-7283)		
790.500	am	(P-17496/92; W-7075)	790.1260	r	(P-7198) (E-7283)		
		(P-7198) (E-7283)	790.1300	r	(P-7198) (E-7283)		
790.540	am	(P-17496/92; W-7075)	790.1345	r	(P-7198) (E-7283)		
	r	(P-7198) (E-7283)	790.1350	am	(P-17496/92; W-7075)		
790.548	r	(P-7198) (E-7283)		r	(P-7198) (E-7283)		
790.580	r	(P-7198) (E-7283)	790.1360	r	(P-7198) (E-7283)		
790.600	r	(P-7198) (E-7283)	790.1380	r	(P-7198) (E-7283)		
790.620	r	(P-7198) (E-7283)	790.1386	r	(P-7198) (E-7283)		
790.630	r	(P-7198) (E-7283)	790.1388	am	(P-17496/92; W-7075)		
790.660	r	(P-7198) (E-7283)		r	(P-7198) (E-7283)		
790.700	r	(P-7198) (E-7283)	790.1390	am	(P-17496/92; W-7075)		
790.706	r	(P-7198) (E-7283)		r	(P-7198) (E-7283)		
790.721	am	(P-17496/92; W-7075)	790.1418	am	(P-17496/92; W-7075)		
	r	(P-7198) (E-7283)		r	(P-7198) (E-7283)		
790.740	am	(P-17496/92; W-7075)	790.1420	r	(P-7198) (E-7283)		
	r	(P-7198) (E-7283)	790.1423	r	(P-7198) (E-7283)		
790.756	r	(P-7198) (E-7283)	790.1425	r	(P-7198) (E-7283)		
790.760	r	(P-7198) (E-7283)	790.1440	r	(P-7198) (E-7283)		
790.780	r	(P-7198) (E-7283)	790.1460	r	(P-7198) (E-7283)		
790.788	r	(P-7198) (E-7283)	790.1490	r	(P-7198) (E-7283)		
790.798	r	(P-7199) (E-7283)	790.1500	r	(P-7198) (E-7283)		
790.799	r	(P-7198) (E-7283)	790.1540	r	(P-7198) (E-7283)		
790.815	r	(P-7198) (E-7283)	790.1560	am	(P-17496/92; W-7075)		
790.820	r	(P-7198) (E-7283)		r	(P-7198) (E-7283)		
790.830	r	(P-7198) (E-7283)	790.1565	n	(P-17496/92; W-7075)		
790.860	am	(P-17496/92; W-7075)	790.1570	r	(P-7198) (E-7283)		
	r	(P-7198) (E-7283)	790.1573	r	(P-7198) (E-7283)		
790.900	r	(P-7198) (E-7283)	790.1577	am	(P-17496/92; W-7075)		
790.905	r	(P-7198) (E-7283)		r	(P-7198) (E-7283)		

ILLINOIS REGISTER				ILLINOIS REGISTER			
Volume 17, Issue #29		SECTIONS AFFECTED INDEX		Volume 17, Issue #29		SECTIONS AFFECTED INDEX	
July 16, 1993				July 16, 1993			
TITLE 77 (CONT'D)		TITLE 77 (CONT'D)		TITLE 77 (CONT'D)		TITLE 77 (CONT'D)	
790.1580	r	(P-7198) (E-7283)	r	790.2300	r	(P-7198) (E-7283)	r
790.1620	r	(P-7198) (E-7283)	r	790.2340	r	(P-7198) (E-7283)	r
790.1660	r	(P-7198) (E-7283)	r	790.2380	r	(P-7198) (E-7283)	r
790.1685	r	(P-7198) (E-7283)	r	790.2390	r	(P-7198) (E-7283)	r
790.1686	r	(P-7198) (E-7283)	r	790.2420	r	(P-7198) (E-7283)	r
790.1697	r	(P-7198) (E-7283)	r	790.2460	r	(P-7198) (E-7283)	r
790.1700	r	(P-7198) (E-7283)	r	790.2462	am	(P-17496/92; W-7075)	r
790.1706	r	(P-7198) (E-7283)	r	790.2465	am	(P-17496/92; W-7075)	r
790.1708	r	(P-7198) (E-7283)	r	790.2470	r	(P-7198) (E-7283)	r
790.1710	r	(P-7198) (E-7283)	r	790.2485	r	(P-7198) (E-7283)	r
790.1719	r	(P-7198) (E-7283)	r	790.2500	r	(P-7198) (E-7283)	r
790.1721	r	(P-7198) (E-7283)	r	790.2510	r	(P-7198) (E-7283)	r
790.1740	r	(P-7198) (E-7283)	r	790.2540	r	(P-7198) (E-7283)	r
790.1780	r	(P-7198) (E-7283)	r	790.2555	r	(P-7198) (E-7283)	r
790.1820	r	(P-7198) (E-7283)	r	790.2580	r	(P-7198) (E-7283)	r
790.1835	r	(P-7198) (E-7283)	r	790.2583	r	(P-7198) (E-7283)	r
790.1842	r	(P-7198) (E-7283)	r	790.2585	r	(P-7198) (E-7283)	r
790.1846	r	(P-7198) (E-7283)	r	790.2587	n	(P-17496/92; W-7075)	r
790.1856	r	(P-7198) (E-7283)	r	790.2600	n	(P-17496/92; W-7075)	r
790.1858	r	(P-7198) (E-7283)	r	790.2603	r	(P-7198) (E-7283)	r
790.1859	n	(P-17496/92; W-7075)	am	790.2605	am	(P-17496/92; W-7075)	r
790.1860	r	(P-7198) (E-7283)	r	790.2613	am	(P-7198) (E-7283)	r
790.1870	r	(P-7198) (E-7283)	r	790.2614	r	(P-7198) (E-7283)	r
790.1900	r	(P-7198) (E-7283)	r	790.2617	r	(P-7198) (E-7283)	r
790.1930	am	(P-17496/92; W-7075)	r	790.2618	am	(P-17496/92; W-7075)	r
790.1940	r	(P-7198) (E-7283)	r	790.2620	r	(P-7198) (E-7283)	r
790.1950	am	(P-17496/92; W-7075)	am	790.2645	r	(P-7198) (E-7283)	r
790.1960	am	(P-17496/92; W-7075)	r	790.2655	r	(P-7198) (E-7283)	r
790.1980	r	(P-7198) (E-7283)	r	790.2660	r	(P-7198) (E-7283)	r
790.2020	r	(P-7198) (E-7283)	r	790.2661	am	(P-7198) (E-7283)	r
790.2060	r	(P-7198) (E-7283)	r	790.2662	am	(P-7198) (E-7283)	r
790.2084	r	(P-7198) (E-7283)	r	790.2663	r	(P-7198) (E-7283)	r
790.2086	n	(P-17496/92; W-7075)	n	790.2668	r	(P-7198) (E-7283)	r
790.2092	r	(P-7198) (E-7283)	r	790.2672	r	(P-7198) (E-7283)	r
790.2097	r	(P-7198) (E-7283)	r	790.2700	r	(P-7198) (E-7283)	r
790.2100	r	(P-7198) (E-7283)	r	790.2740	r	(P-7198) (E-7283)	r
790.2130	r	(P-7198) (E-7283)	r	790.2780	r	(P-7198) (E-7283)	r
790.2140	r	(P-7198) (E-7283)	r	790.2800	r	(P-7198) (E-7283)	r
790.2155	r	(P-7198) (E-7283)	r	790.2805	r	(P-7198) (E-7283)	r
790.2180	r	(P-7198) (E-7283)	r	790.2820	r	(P-7198) (E-7283)	r
790.2220	r	(P-7198) (E-7283)	r	790.2860	r	(P-7198) (E-7283)	r
790.2260	r	(P-7198) (E-7283)	r	790.2900	r	(P-7198) (E-7283)	r

ILLINOIS REGISTER				July 16, 1993	
Volume 17, Issue #29		SECTIONS AFFECTED INDEX		July 16, 1993	
TITLE 77 (CONT'D)					
790.4220	am	(P-17496/92; W-7075)		790.5060	r
		(P-7198) (E-7283)		790.5100	r
790.4260	r	(P-7198) (E-7283)		790.5140	r
790.4300	r	(P-7198) (E-7283)		790.5180	r
790.4340	r	(P-7198) (E-7283)		790.5220	am
790.4380	am	(P-7198) (E-7283)			
		(P-17496/92; W-7075)		790.5260	r
790.4382	#	(P-7198) (E-7283)		790.5300	r
790.4384	#	(P-17496/92; W-7075)		790.5312	r
		(P-7198) (E-7283)		790.5320	am
		(P-17496/92; W-7075)			
790.4385	r	(P-7198) (E-7283)		790.5340	r
790.4386	r	(P-7198) (E-7283)		790.5380	r
790.4396	r	(P-7198) (E-7283)		790.5420	r
790.4398	r	(P-7198) (E-7283)		790.5460	r
790.4420	r	(P-7198) (E-7283)		790.5483	r
790.4430	r	(P-7198) (E-7283)		790.5500	am
790.4360	r	(P-7198) (E-7283)			
790.4395	r	(P-7198) (E-7283)		790.5520	r
790.4500	r	(P-7198) (E-7283)		790.5530	r
790.4540	r	(P-7198) (E-7283)		790.5540	am
790.4580	r	(P-7198) (E-7283)			
790.4620	r	(P-7198) (E-7283)		790.5544	r
790.4660	r	(P-7198) (E-7283)		790.5555	r
790.4665	r	(P-7198) (E-7283)		790.5560	r
790.4667	r	(P-7198) (E-7283)		790.5580	r
790.4670	r	(P-7198) (E-7283)		790.5620	r
790.4680	r	(P-7198) (E-7283)		790.5640	r
790.4700	r	(P-7198) (E-7283)		790.5660	r
790.4720	am	(P-7198) (E-7283)		790.5700	r
		(P-17496/92; W-7075)		790.5720	r
790.4725	r	(P-7198) (E-7283)		790.5740	r
790.4728	am	(P-7198) (E-7283)		790.5780	r
		(P-17496/92; W-7075)		790.5788	am
		(P-7198) (E-7283)			
790.4740	r	(P-7198) (E-7283)		790.5792	r
790.4780	r	(P-7198) (E-7283)		790.5795	r
790.4820	r	(P-7198) (E-7283)		790.5800	r
790.4840	r	(P-7198) (E-7283)		790.5802	r
790.4860	r	(P-7198) (E-7283)		790.5807	r
790.4900	am	(P-17496/92; W-7075)		790.5820	r
		(P-7198) (E-7283)		790.5830	r
790.4940	r	(P-7198) (E-7283)		790.5835	r
790.4960	r	(P-7198) (E-7283)		790.5837	r
790.4963	r	(P-7198) (E-7283)		790.5840	r
790.4965	r	(P-7198) (E-7283)		790.5860	r
790.4980	r	(P-7198) (E-7283)		790.5872	am
790.5020	r	(P-7198) (E-7283)			
790.5030	r	(P-7198) (E-7283)		790.5893	r

ILLINOIS REGISTER				July 16, 1999	
Volume 17, Issue #29		SECTIONS AFFECTED INDEX		July 16, 1999	
TITLE 77 (CONT'D)					
790.5900	r	(P-7198) (E-7283)		790.6621	r
790.5924	r	(P-7198) (E-7283)		790.6660	r
790.5940	am	(P-17496/92; W-7075)		790.6670	r
		(P-7198) (E-7283)		790.6700	r
		(P-17496/92; W-7075)		790.6740	am
790.5980	r	(P-7198) (E-7283)		790.6740	r
790.5992	r	(P-7198) (E-7283)		790.6780	r
790.5996	r	(P-7198) (E-7283)		790.6800	r
790.6020	r	(P-7198) (E-7283)		790.6820	r
790.6060	r	(P-7198) (E-7283)		790.6860	r
790.6100	r	(P-7198) (E-7283)		790.6875	r
790.6140	r	(P-7198) (E-7283)		790.6885	r
790.6180	am	(P-17496/92; W-7075)		790.6895	r
		(P-7198) (E-7283)		790.6900	r
790.6220	r	(P-7198) (E-7283)		790.6940	r
790.6260	r	(P-7198) (E-7283)		790.6946	r
790.6275	r	(P-7198) (E-7283)		790.6960	r
790.6277	r	(P-7198) (E-7283)		790.6980	r
790.6280	am	(P-17496/92; W-7075)		790.7020	r
		(P-7198) (E-7283)		790.7060	r
790.6284	r	(P-7198) (E-7283)		790.7100	r
790.6300	r	(P-7198) (E-7283)		790.7120	r
790.6340	r	(P-7198) (E-7283)		790.7130	r
790.6370	am	(P-17496/92; W-7075)		790.7140	r
		(P-7198) (E-7283)		790.7160	r
790.6375	r	(P-7198) (E-7283)		790.7180	r
790.6380	r	(P-7198) (E-7283)		790.7181	r
790.6420	r	(P-7198) (E-7283)		790.7220	r
790.6430	am	(P-17496/92; W-7075)		790.7221	am
		(P-7198) (E-7283)			
790.6435	r	(P-7198) (E-7283)		790.7223	r
790.6445	r	(P-7198) (E-7283)		790.7229	r
790.6450	r	(P-7198) (E-7283)		790.7245	am
790.6452	r	(P-7198) (E-7283)			
790.6454	r	(P-7198) (E-7283)		790.7260	r
790.6456	r	(P-7198) (E-7283)		790.7263	am
790.6460	r	(P-7198) (E-7283)		790.7265	am
790.6480	r	(P-7198) (E-7283)			
790.6500	r	(P-7198) (E-7283)		790.7272	r
790.6505	am	(P-17496/92; W-7075)		790.7278	am
		(P-7198) (E-7283)			
790.6540	r	(P-7198) (E-7283)		790.7280	am
790.6544	r	(P-7198) (E-7283)			
790.6570	r	(P-7198) (E-7283)		790.7284	r
790.6580	am	(P-17496/92; W-7075)		790.7288	r
		(P-7198) (E-7283)		790.7291	r
790.6610	am	(P-7198) (E-7283)		790.7294	r
		(P-17496/92; W-7075)		790.7296	r
790.6620	r	(P-7198) (E-7283)			
		(P-7198) (E-7283)		790.7300	r

ILLINOIS REGISTER					
Volume 17, Issue #29		SECTIONS AFFECTED INDEX		July 16, 1993	
TITLE 77 (CONT'D)					
790.5900	r	(P-7198) (E-7283)		790.6621	r
790.5924	r	(P-7198) (E-7283)		790.6660	r
790.5940	am	(P-17496/92; W-7075)		790.6670	r
	r	(P-7198) (E-7283)		790.6700	r
790.5980	r	(P-7198) (E-7283)		790.6740	am
790.5992	r	(P-7198) (E-7283)		790.6740	r
790.5996	r	(P-7198) (E-7283)		790.6780	r
790.6020	r	(P-7198) (E-7283)		790.6800	r
790.6060	r	(P-7198) (E-7283)		790.6820	r
790.6100	r	(P-7198) (E-7283)		790.6860	r
790.6140	r	(P-7198) (E-7283)		790.6875	r
790.6180	am	(P-17496/92; W-7075)		790.6885	r
	r	(P-7198) (E-7283)		790.6895	r
790.6220	r	(P-7198) (E-7283)		790.6900	r
790.6260	r	(P-7198) (E-7283)		790.6940	r
790.6275	r	(P-7198) (E-7283)		790.6946	r
790.6277	r	(P-7198) (E-7283)		790.6960	r
790.6280	am	(P-17496/92; W-7075)		790.6980	r
	r	(P-7198) (E-7283)		790.7020	r
790.6284	r	(P-7198) (E-7283)		790.7060	r
790.6300	r	(P-7198) (E-7283)		790.7100	r
790.6340	r	(P-7198) (E-7283)		790.7120	r
790.6370	am	(P-17496/92; W-7075)		790.7130	r
	r	(P-7198) (E-7283)		790.7140	r
790.6375	r	(P-7198) (E-7283)		790.7160	r
790.6380	r	(P-7198) (E-7283)		790.7180	r
790.6420	r	(P-7198) (E-7283)		790.7181	r
790.6430	am	(P-17496/92; W-7075)		790.7220	r
	r	(P-7198) (E-7283)		790.7221	am
790.6435	r	(P-7198) (E-7283)			r
790.6445	r	(P-7198) (E-7283)		790.7223	r
790.6450	r	(P-7198) (E-7283)		790.7229	r
790.6452	r	(P-7198) (E-7283)		790.7245	am
790.6454	r	(P-7198) (E-7283)			r
790.6456	r	(P-7198) (E-7283)		790.7260	r
790.6460	r	(P-7198) (E-7283)		790.7263	am
790.6480	r	(P-7198) (E-7283)		790.7265	am
790.6500	r	(P-7198) (E-7283)			r
790.6505	am	(P-17496/92; W-7075)		790.7272	r
	r	(P-7198) (E-7283)		790.7278	am
790.6540	r	(P-7198) (E-7283)			r
790.6544	r	(P-7198) (E-7283)		790.7280	am
790.6570	r	(P-7198) (E-7283)			r
790.6580	am	(P-17496/92; W-7075)		790.7284	r
	r	(P-7198) (E-7283)		790.7288	r
790.6610	am	(P-17496/92; W-7075)		790.7291	r
790.6620	r	(P-7198) (E-7283)		790.7294	r
	r	(P-7198) (E-7283)		790.7296	r
	r	(P-7198) (E-7283)		790.7300	r

ILLINOIS REGISTER			SECTIONS AFFECTED INDEX		July 16, 1999
Volume 17, Issue #29	TITLE 77 (CONT'D)		SECTIONS AFFECTED INDEX		
	790.9620	r	(P-7198) (E-7283)	900.Tb.G	n
	790.9660	r	(P-7198) (E-7283)	900.Tb.H	n
	790.9800	r	(P-7198) (E-7283)	900.Tb.I	n
	840.20	am	(P-4329/92; A-2319)	Ex.A	n
	840.115	am	(P-4329/92; A-2319)	Ex.B	n
	840.210	am	(P-4329/92; A-2319)	Ex.C	n
	840.215	am	(P-4329/92; A-2319)	Ex.D	n
	840.305	am	(P-4329/92; A-2319)	915.10	am
	840.310	am	(P-4329/92; A-2319)	915.20	am
	840.Ap.B		(P-4329/92; A-2319)	915.40	n
	Ex.A	am	(P-4329/92; A-2319)	915.50	n
	.II.A	r	(P-4329/92; A-2319)	1100.740	n
	Ex.B	n	(P-4329/92; A-2319)	1110.60	n
	.II.B	r	(P-4329/92; A-2319)	1110.235	n
	840.Ap.C		(P-4329/92; A-2319)	1110.250	n
	840.Ex.B	am	(P-4329/92; A-2319)	1110.2520	n
	845.10	am	(P-12314/92; A-1884)	1110.2530	n
	845.15	n	(P-12314/92; A-1884)	1110.2540	n
	845.20	am	(P-12314/92; A-1884)	1110.2550	n
	845.23	n	(P-12314/92; A-1884)	1120.10	n
	845.25	n	(P-12314/92; A-1884)	1120.20	n
	845.26	n	(P-12314/92; A-1884)	1120.110	n
	845.28	n	(P-12314/92; A-1884)	1120.120	n
	845.29	n	(P-12314/92; A-1884)	1120.130	n
	845.30	am	(P-12314/92; O-1243)	1120.210	n
			M-2073; A-1884)	1120.310	n
	845.40	am	(P-12314/92; A-1884)	1120.Ap.A	n
	845.50	am	(P-12314/92; A-1884)	1130.140	am
	845.60	r	(P-12314/92; A-1884)	1130.220	am
	845.Ap.A	n	(P-12314/92; A-1884)	1130.410	am
	845.Ex.A	n	(P-12314/92; A-1884)	1130.510	am
	845.Ex.B	n	(P-12314/92; A-1884)	1130.620	am
	845.Ex.C	n	(P-12314/92; A-1884)	1130.630	am
	845.Ap.B	n	(P-12314/92; A-1884)	1130.640	am
	845.Ap.C	n	(P-12314/92; A-1884)	1130.710	am
	845.II.A	n	(P-12314/92; A-1884)	1130.720	am
	845.Ap.D	n	(P-12314/92; A-1884)	1130.730	am
	845.II.A	n	(P-12314/92; A-1884)	1130.740	am
	845.Ap.E	n	(P-10870/92; A-4388)	1130.760	am
	900.10	am	(P-10870/92; A-4388)	1130.770	am
	900.30	am	(P-10870/92; A-4388)	1130.780	am
	900.40	am	(P-10870/92; A-4388)	1130.Ap.A	am
	900.50	am	(P-10870/92; A-4388)	1230.10	r
	900.60	am	(P-10870/92; A-4388)		
	900.65	am	(P-10870/92; A-4388)		
	900.70	am	(P-10870/92; A-4388)		
	900.Tb.E	n	(P-10870/92; A-4388)		
	900.Tb.F	n	(P-10870/92; A-4388)		

ILLINOIS REGISTER			
Volume 17, Issue #29	SECTIONS AFFECTED INDEX	July 16, 1993	
790.7340	r (P-7198) (E-7283)	790.8590	r (P-7198) (E-7283)
790.7380	r (P-7198) (E-7283)	790.8620	r (P-7198) (E-7283)
790.7400	r (P-7198) (E-7283)	790.8660	r (P-7198) (E-7283)
790.7420	r (P-7198) (E-7283)	790.8700	r (P-7198) (E-7283)
790.7460	r (P-7198) (E-7283)	790.8710	am (P-17496/92; W-7075)
790.7500	r (P-7198) (E-7283)		r (P-7198) (E-7283)
790.7510	r (P-7198) (E-7283)	790.8724	r (P-7198) (E-7283)
790.7520	n (P-17496/92; W-7075)	790.8727	r (P-7198) (E-7283)
790.7540	r (P-7198) (E-7283)	790.8740	r (P-7198) (E-7283)
790.7580	r (P-7198) (E-7283)	790.8820	r (P-7198) (E-7283)
790.7620	r (P-7198) (E-7283)	790.8870	r (P-7198) (E-7283)
790.7660	r (P-7198) (E-7283)	790.8835	n (P-17496/92; W-7075)
790.7700	r (P-7198) (E-7283)	790.8860	r (P-7198) (E-7283)
790.7740	r (P-7198) (E-7283)	790.8900	r (P-7198) (E-7283)
790.7780	r (P-7198) (E-7283)	790.8940	r (P-7198) (E-7283)
790.7820	r (P-7198) (E-7283)	790.8980	r (P-7198) (E-7283)
790.7828	r (P-7198) (E-7283)	790.9020	r (P-7198) (E-7283)
790.7834	r (P-7198) (E-7283)	790.9035	r (P-7198) (E-7283)
790.7860	r (P-7198) (E-7283)	790.9045	am (P-17496/92; W-7075)
790.7875	n (P-17496/92; W-7075)		r (P-7198) (E-7283)
790.7900	r (P-7198) (E-7283)	790.9048	r (P-7198) (E-7283)
790.7940	r (P-7198) (E-7283)	790.9050	am (P-17496/92; W-7075)
790.7980	r (P-7198) (E-7283)		r (P-7198) (E-7283)
790.8015	r (P-7198) (E-7283)	790.9056	r (P-7198) (E-7283)
790.8020	r (P-7198) (E-7283)	790.9060	r (P-7198) (E-7283)
790.8030	am (P-17496/92; W-7075)	790.9070	am (P-17496/92; W-7075)
790.8060	r (P-7198) (E-7283)		r (P-7198) (E-7283)
790.8100	r (P-7198) (E-7283)	790.9084	r (P-7198) (E-7283)
790.8106	r (P-7198) (E-7283)	790.9100	r (P-7198) (E-7283)
790.8136	r (P-7198) (E-7283)	790.9140	r (P-7198) (E-7283)
790.8140	r (P-7198) (E-7283)	790.9180	r (P-7198) (E-7283)
790.8180	r (P-7198) (E-7283)	790.9220	r (P-7198) (E-7283)
790.8220	r (P-7198) (E-7283)	790.9260	r (P-7198) (E-7283)
790.8232	r (P-7198) (E-7283)	790.9300	r (P-7198) (E-7283)
790.8244	r (P-7198) (E-7283)	790.9320	r (P-7198) (E-7283)
790.8248	am (P-17496/92; W-7075)	790.9340	r (P-7198) (E-7283)
	r (P-7198) (E-7283)	790.9380	r (P-7198) (E-7283)
790.8260	r (P-7198) (E-7283)	790.9420	r (P-7198) (E-7283)
790.8290	r (P-7198) (E-7283)	790.9460	r (P-7198) (E-7283)
790.8300	r (P-7198) (E-7283)	790.9475	r (P-7198) (E-7283)
790.8340	r (P-7198) (E-7283)	790.9478	r (P-7198) (E-7283)
790.8378	r (P-7198) (E-7283)	790.9486	r (P-7198) (E-7283)
790.8380	r (P-7198) (E-7283)	790.9500	am (P-17496/92; W-7075)
790.8420	r (P-7198) (E-7283)		r (P-7198) (E-7283)
790.8460	r (P-7198) (E-7283)	790.9520	am (P-17496/92; W-7075)
790.8500	r (P-7198) (E-7283)		r (P-7198) (E-7283)
790.8540	r (P-7198) (E-7283)	790.9530	r (P-7198) (E-7283)
790.8580	am (P-17496/92; W-7075)	790.9540	r (P-7198) (E-7283)
	r (P-7198) (E-7283)	790.9580	r (P-7198) (E-7283)

ILLINOIS REGISTER

Volume 17, Issue #29

July 16, 1993

ILLINOIS REGISTER

Volume 17, Issue #29

July 16, 1993

TITLE 77 (CONT'D)

1230.20	r	(P-5187/92; A-5878)	1240.40	r	(P-5225/92; A-5880)
1230.30	r	(P-5187/92; A-5878)	1240.50	r	(P-5225/92; A-5880)
1230.110	r	(P-5187/92; A-5878)	1240.60	r	(P-5225/92; A-5880)
1230.120	r	(P-5187/92; A-5878)	1240.70	r	(P-5225/92; A-5880)
1230.210	r	(P-5187/92; A-5878)	1240.Ap.A	r	(P-5225/92; A-5880)
1230.220	r	(P-5187/92; A-5878)	2090.20	am	(P-8599)
1230.230	r	(P-5187/92; A-5878)	2090.35	am	(P-8599)
1230.240	r	(P-5187/92; A-5878)	2090.40	am	(P-8599)
1230.250	r	(P-5187/92; A-5878)	2090.41	am	(P-8599)
1230.310	r	(P-5187/92; A-5878)	2090.42	am	(P-8599)
1230.320	r	(P-5187/92; A-5878)	2090.43	am	(P-8599)
1230.410	r	(P-5187/92; A-5878)	2090.90	am	(P-8599)
1230.420	r	(P-5187/92; A-5878)	2090.100	am	(P-8599)
1230.Tb.A	r	(P-5187/92; A-5878)	2510.50	am	(P-18913/92; A-9700)
1230.Tb.B	r	(P-5187/92; A-5878)	2510.55	am	(P-18913/92; A-9700)
1235.10	n	(E-432; O-3056) (P-683; A-8498)	2510.60	am	(P-1695; A-9896)
1235.20	n	(E-432; O-3056) (P-683; A-8498)	2510.70	am	(P-1695; A-9896)
1235.30	n	(E-432; O-3056) (P-683; A-8498)	2510.90	n	(E-2031)
1235.40	n	(E-432; O-3056) (P-683; A-8498)	2510.Ap.D	r	(P-18913/92; A-9700)
1235.50	n	(E-432; O-3056) (P-683; A-8498)	2540.30	am	(P-18915/92; A-9713)
1235.100	n	(E-432; O-3056) (P-683; A-8498)	3000.200	am	(P-13463/92; A-8817)
1235.110	n	(E-432; O-3056) (P-683; A-8498)	3000.210	am	(P-13463/92; A-8817)
1235.200	n	(E-432; O-3056) (P-683; A-8498)	3000.230	am	(P-13463/92; A-8817)
1235.210	n	(E-432; O-3056) (P-683; A-8498)	3000.Ap.A	r	(P-13463/92; A-8817)
1235.220	n	(E-432; O-3056) (P-683; A-8498)	3000.Ap.B	r	(P-13463/92; A-8817)
1235.230	n	(E-432; O-3056) (P-683; A-8498)	TITLE 80		
1235.240	n	(E-432; O-3056) (P-683; A-8498)	150.210	am	(E-17372/92; RC-181; F-5952) (P-17959/92; P-9716)
1235.250	n	(E-432; O-3056) (P-683; A-8498)	150.220	am	(P-17959/92; A-9716)
1235.300	n	(E-432; O-3056) (P-683; A-8498)	150.Ap.A	r	(P-17959/92; A-9716)
1235.310	n	(E-432; O-3056) (P-683; A-8498)	150.Ap.B	#	(P-17959/92; A-9716)
1235.320	N	(E-432; O-3056) (P-683; A-8498)	302.180	am	(P-17187/92; A-3169)
1240.10	r	(P-5225/92; A-5880)	302.610	am	(P-17187/92; A-3169)
1240.20	r	(P-5225/92; A-5880)	303.112	am	(P-19285/92; A-5587)
1240.30	r	(P-5225/92; A-5880)	310.30	am	(P-18139/92; A-6441)
			310.40	am	(P-18139/92; A-6441)
			310.110	am	(P-13679/92; A-238)
			310.130	am	(P-13679/92; A-238)
			310.210	am	(P-7605)
			310.230	am	(P-18139/92; A-6441)
			310.270	am	(P-18139/92; A-6441)
			310.290	am	(P-191; C-672)
					(P-14001/92; A-1819)

SAI-47

TITLE 80 (CONT'D)

310.320	am	(P-7605)	1200.50	am	(P-3703)
310.450	am	(P-14001/92; A-1819)	1200.60	am	(P-3703)
310.455	am	(P-14001/92; A-1819)	1200.80	am	(P-3703)
310.470	am	(P-14001/92; A-1819)	1200.90	am	(P-3703)
310.530	am	(P-14001/92; A-1819)	1200.110	am	(P-3703)
310.540	am	(P-14001/92; A-1819)	1200.120	am	(P-3703)
310.Ap.A	am	(PP-498) (P-13179/92; A-590) (P-18139/92; A-6441) (P-7605)	1200.130	am	(P-3703)
			1200.140	am	(P-3703)
			1200.150	am	(P-3703)
			1210.10	am	(P-3734)
.Tb.C	am	(P-18139/92; A-6441)	1210.100	am	(P-3734)
.Tb.D	am	(P-18139/92; A-6441)	1210.140	am	(P-3734)
.Tb.E	am	(P-18139/92; A-6441)	1210.160	am	(P-3734)
.Tb.F	am	(P-18139/92; A-6441)	1210.170	am	(P-3734)
.Tb.G	am	(P-7605)	1210.180	am	(P-3734)
.Tb.M	n	(P-13179/92; A-590)	1220.10	am	(P-3755)
.Tb.N	am	(PP-498)	1220.30	am	(P-3755)
.Tb.O	am	(P-18139/92; A-6441)	1220.40	am	(P-3755)
.Tb.P	am	(P-18139/92; A-6441)	1220.50	am	(P-3755)
			1220.60	am	(P-3755)
			1220.70	am	(P-3755)
.Tb.Q	am	(P-7605)	1220.80	n	(P-3755)
.Tb.U	am	(P-18139/92; A-6441)	1220.90	n	(P-3755)
310.Ap.B	am	(P-13679/92; A-238)	1220.100	n	(P-3755)
310.Ap.C	am	(P-191) (P-14001/92; A-1819)	1230.10	am	(P-3718)
310.Ap.D	am	(P-14001/92; A-1819)	1230.80	am	(P-3718)
420.330	am	(P-15342/92; A-1652)	1230.90	am	(P-3718)
620.130	am	(P-11724/92; W-869)	1230.150	am	(P-3718)
		(P-12409/92; W-869)	1230.160	am	(P-3718)
		(P-91; W-869)	1230.180	am	(P-3718)
		(P-15347/92; A-4510)	1230.190	am	(P-3718)
630.315	n	(P-6635)	1230.220	am	(P-3718)
650.1	n	(P-6635)	1650.210	am	(P-12384/92; A-1631)
650.2	n	(P-6635)	1650.230	am	(P-12384/92; A-1631)
650.3	n	(P-6635)	1650.240	am	(P-12384/92; A-1631)
650.4	n	(P-6635)	1650.290	am	(P-12384/92; A-1631)
650.5	n	(P-6635)	1650.330	am	(P-12384/92; A-1631)
650.6	n	(P-6635)	1650.340	am	(P-12384/92; A-1631)
650.7	n	(P-6635)	1650.370	am	(P-12384/92; A-1631)
650.8	n	(P-6635)	1650.410	am	(P-12384/92; A-1631)
650.9	n	(P-6635)	1650.450	am	(P-12384/92; A-1631)
650.10	n	(P-6635)	1650.460	am	(P-12384/92; A-1631)
650.11	n	(P-6635)	1650.510	am	(P-12384/92; A-1631)
650.12	n	(P-6635)	1650.520	am	(P-12384/92; A-1631)
650.13	n	(P-6635)	1650.570	am	(P-12384/92; A-1631)
1200.10	am	(P-3703)	1650.620	am	(P-12384/92; A-1631)
1200.20	am	(P-3703)	1650.630	am	(P-12384/92; A-1631)
1200.30	am	(P-3703)	1650.640	am	(P-12384/92; A-1631)
1200.40	am	(P-3703)	1650.650	am	(P-12384/92; A-1631)

SAI-48

ILLINOIS REGISTER

Volume 17, Issue #29

SECTIONS AFFECTED INDEX

July 16, 1993

TITLE 80 (CONT'D)		745.300	n	(P-10513/92; A-10258)
2160.120	am	745.300	n	(P-10513/92; A-10258)
2160.130	am	745.300	am	(P-10513/92; A-10258)
2160.210	am	745.300	am	(P-10513/92; A-10258)
2160.220	am	745.300	am	(P-10513/92; A-10258)
2160.250	am	745.300	am	(P-10513/92; A-10258)
2160.310	am	745.300	am	(P-10513/92; A-10258)
2160.320	am	745.300	am	(P-10513/92; A-10258)
2160.325	am	745.300	am	(P-10513/92; A-10258)
2160.330	am	745.300	am	(P-10513/92; A-10258)
2160.410	am	745.300	am	(P-10513/92; A-10258)
2160.510	am	745.300	am	(P-10513/92; A-10258)
2160.610	am	745.300	am	(P-10513/92; A-10258)
2160.620	am	745.300	am	(P-10513/92; A-10258)
2650.1	am	745.300	am	(P-10513/92; A-10258)
2650.10	am	745.300	am	(P-10513/92; A-10258)
2650.15	am	745.300	am	(P-10513/92; A-10258)
2650.25	am	745.300	am	(P-10513/92; A-10258)
2650.30	am	745.300	am	(P-10513/92; A-10258)
2650.40	n	745.300	am	(P-10513/92; A-10258)
2650.50	n	745.300	am	(P-10513/92; A-10258)
2650.60	n	745.300	am	(P-10513/92; A-10258)
2650.70	n	745.300	am	(P-10513/92; A-10258)
TITLE 83		745.300	am	(P-10513/92; A-10258)
255.20	am	745.300	am	(P-10513/92; A-10258)
275.20	am	745.300	am	(P-10513/92; A-10258)
280.76	n	745.300	am	(P-10513/92; A-10258)
280.138	am	745.300	am	(P-10513/92; A-10258)
305.20	am	745.300	am	(P-10513/92; A-10258)
315.10	am	745.300	am	(P-10513/92; A-10258)
315.20	am	745.300	am	(P-10513/92; A-10258)
315.30	am	745.300	am	(P-10513/92; A-10258)
315.40	n	745.300	am	(P-10513/92; A-10258)
315.50	n	745.300	am	(P-10513/92; A-10258)
315.60	n	745.300	am	(P-10513/92; A-10258)
590.10	am	745.300	am	(P-10513/92; A-10258)
735.121	n	745.300	am	(P-10513/92; A-10258)
745.10	am	745.300	am	(P-10513/92; A-10258)
745.15	am	745.300	am	(P-10513/92; A-10258)
745.20	am	745.300	am	(P-10513/92; A-10258)
745.30	am	745.300	am	(P-10513/92; A-10258)
745.110	am	745.300	am	(P-10513/92; A-10258)
745.200	am	745.300	am	(P-10513/92; A-10258)
745.210	am	745.300	am	(P-10513/92; A-10258)
745.220	am	745.300	am	(P-10513/92; A-10258)
745.221	n	745.300	am	(P-10513/92; A-10258)
745.225	am	745.300	am	(P-10513/92; A-10258)

SAI-49

ILLINOIS REGISTER

Volume 17, Issue #29

SECTIONS AFFECTED INDEX

July 16, 1993

TITLE 86 (CONT'D)				
105.310	n	(P-219; A-7031) (E-445) (P-9854)	535.105 n	
105.320	n	(P-219; A-7031) (E-445) (P-9854)	535.115 n	
105.330	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	535.120 n	
105.340	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	535.125 n	
105.400	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	535.130 n	
105.410	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	535.135 n	
105.420	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	535.140 n	
105.430	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	535.145 n	
105.440	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	750.100 n	
105.450	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	750.200 n	
105.460	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	750.300 n	
105.470	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	750.400 n	
105.500	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	750.500 n	
105.510	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	750.600 n	
105.520	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	750.700 n	
105.600	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	750.800 n	
105.700	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	750.900 n	
105.800	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	TITLE 89	
105.810	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	103.25	n
105.900	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	103.35	n
105.910	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	104.216	am
105.920	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	110.30	am
105.1000	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	111.101	am
105.1010	n	(P-219; A-7031) (E-445) (P-219; A-7031) (E-445)	112.9	am
110.115	am	(P-2507)	112.64	am
130.535	am	(P-8461)	112.70	am
130.1001	am	(P-6955)	112.71	am
130.1801	am	(P-6955)	112.72	am
130.220	am	(P-14554/92; A-860) (P-14563/92; A-1947)	112.74	am
150.7b.A	am	(P-14563/92; A-1947) (E-665) (P-2718; A-8860)	112.78	am
210.101	am	(P-2718; A-8860)	112.79	am
210.105	am	(P-2718; A-8860)	112.81	am
210.110	am	(P-2718; A-8860)	112.82	am
210.115	am	(P-2718; C-3545; A-8860)	112.127	am
210.120	am	(P-2718; A-8860)	112.130	am
210.125	am	(E-665) (P-2718; A-8860)	112.137	am
210.126	n	(E-665) (P-2718; A-8860)	112.141	am
210.130	am	(P-2718; A-8860)	112.142	am
530.115	am	(P-3104)	112.143	am
535.101	n	(P-15340/92; A-3042)	112.144	am
			112.145	am
			112.151	am
			112.152	am
			112.153	am

SAI-50

ILLINOIS REGISTER
Volume 17, Issue #29
SECTIONS AFFECTED INDEX
July 16, 1993

TITLE 89 (CONT'D)	120.61	am	(P-2114; A-10402)
112.154	120.70	am	(P-7111; A-6827)
112.250	120.73	n	(P-7111; A-6827)
112.252	120.75	n	(P-14544/92; A-1102)
112.253	120.385	r	(P-13385/92; A-644)
112.254	121.3	am	(P-15813/92; A-4333)
112.302	121.23	r	(P-15813/92; A-4333)
112.303	121.24	r	(P-15813/92; A-4333)
112.330	121.25	r	(P-15813/92; A-4333)
	121.26	r	(P-15813/92; A-4333)
112.370	121.27	r	(P-15813/92; A-4333)
112.404	121.28	r	(P-15813/92; A-4333)
112.406	121.29	r	(P-15813/92; A-4333)
113.9	121.31	am	(P-7165)
113.113	121.32	am	(P-7165)
113.141	121.30	am	(P-7165)
113.154	121.58	am	(P-7165)
113.253	121.63	am	(P-7165)
113.260	121.41	am	(P-13385/92; A-644)
113.309	121.59	am	(P-13385/92; A-644)
113.330	121.76	n	(P-13385/92; A-644)
113.410	121.60	n	(P-15813/92; A-4333)
113.425	121.62	n	(P-15813/92; A-4333)
113.430	121.64	n	(P-15813/92; A-4333)
113.450	121.66	n	(P-15813/92; A-4333)
114.9	121.170	n	(P-15813/92; A-4333)
114.120	121.172	n	(P-15813/92; A-4333)
114.121	121.174	n	(P-15813/92; A-4333)
114.124	121.176	n	(P-15813/92; A-4333)
114.125	121.178	n	(P-15813/92; A-4333)
114.126	121.180	n	(P-15813/92; A-4333)
114.127	121.182	n	(P-15813/92; A-4333)
114.128	121.184	n	(P-15813/92; A-4333)
114.129	121.186	n	(P-15813/92; A-4333)
114.130	121.188	n	(P-15813/92; A-4333)
114.135	121.190	n	(P-15813/92; A-4333)
114.223	140.12	am	(P-62; A-6839)
114.252	140.19	am	(P-7183)
114.270	140.24	am	(P-15019/92; A-3421)
114.406	140.80	n	(P-15019/92; A-3421)
114.420	140.82	n	(P-15019/92; A-3421)
114.430	140.84	n	(P-15019/92; A-3421)
114.440	140.94	am	(P-15019/92; A-3421)
116.400	140.95	am	(P-16495/92; A-6196)
116.500	140.485	am	(P-16495/92; A-6196)
116.520	140.488	am	(P-13397/92; O-1241)
117.15	140.492	am	R-2436; A-2290; F-3058)
			(P-10749) (E-11201)
118.150		n	

ILLINOIS REGISTER
Volume 17, Issue #29
SECTIONS AFFECTED INDEX
July 16, 1993

TITLE 89 (CONT'D)	140.511	am	(P-17461/92; A-6839)
148.180	148.180	am	(P-13211/92; A-837)
148.190	148.190	am	(P-13211/92; A-837)
148.200	148.200	am	(P-19665/92; A-6839)
148.210	148.210	am	(P-12838/92; A-19146/92;
148.220	148.220	am	RQ-4517; EC-7078)
148.230	148.230	am	(P-16495/92; A-6196)
148.240	148.240	am	(P-17209/92; A-7004)
148.250	148.250	am	(P-7576/92; A-1112)
148.260	148.260	am	(P-15296/92; A-2951)
148.270	148.270	am	(P-2477)
148.280	148.280	am	(P-2477)
148.290	148.290	am	(P-2477)
148.310	148.310	am	(P-2477)
			(P-9840)
148.320	148.320	am	(P-14540/92; A-3296)
149.10	149.10	n	(P-14535/92; A-3217)
149.25	149.25	am	(P-14535/92; A-3217)
149.50	149.50	am	(P-14535/92; A-3217)
149.75	149.75	am	(P-14535/92; A-3217)
149.100	149.100	am	(P-14535/92; A-3217)
149.105	149.105	am	(P-14535/92; A-3217)
149.125	149.125	am	(P-14535/92; A-3217)
149.140	149.140	n	(P-14535/92; A-3217)
			(P-9829)
149.150	149.150	am	(P-14535/92; A-3217)
160.1	160.1	am	(P-3820)
160.5	160.5	am	(P-3820)
160.15	160.15	n	(P-3820)
160.25	160.25	n	(P-3820)
160.77	160.77	n	(P-3820)
160.85	160.85	n	(P-8892/92; A-2272)
165.70	165.70	am	(P-2110; A-8187)
165.104	165.104	am	(P-6614)
170.10	170.10	n	(P-10736)
170.20	170.20	n	(P-10736)
170.30	170.30	n	(P-10736)
170.40	170.40	n	(P-10736)
170.50	170.50	am	(P-10736)
220.625	220.625	am	(P-883; A-8472) (E-1179)
220.635	220.635	am	(P-883; A-8472) (E-1179)
240.729	240.729	n	(P-12251/92; A-224)
240.1510	240.1510	am	(P-15203/92; A-6090)
240.1520	240.1520	am	(P-15203/92; A-6090)
240.1530	240.1530	am	(P-15203/92; A-6090)
240.1535	240.1535	am	(P-15203/92; A-6090)
240.1540	240.1540	am	(P-15203/92; A-6090)
240.1545	240.1545	am	(P-15203/92; A-6090)
240.1550	240.1550	am	(P-15203/92; A-6090)

ILLINOIS REGISTER

Volume 17, Issue #29 SECTIONS AFFECTED INDEX

July 16, 1993

TITLE 89 (CONT'D)

240.1555	am	(P-15203/92; A-6090)	336.90	n	(P-7963/92; A-1026)
240.1560	am	(P-15203/92; A-6090)	336.100	n	(P-7963/92; A-1026)
240.1565	am	(P-15203/92; A-6090)	336.110	n	(P-7963/92; A-1026)
240.1570	am	(P-15203/92; A-6090)	336.120	n	(P-7963/92; A-1026)
240.1575	am	(P-15203/92; A-6090)	336.130	n	(P-7963/92; A-1026)
240.1580	am	(P-15203/92; A-6090)	336.140	n	(P-7963/92; A-1026)
240.1590	am	(P-15203/92; A-6090)	336.150	n	(P-7963/92; A-1026)
240.1800	am	(P-15203/92; A-6090)	336.160	n	(P-7963/92; A-1026)
240.1850	am	(P-15203/92; A-6090)	336.170	n	(P-7963/92; A-1026)
240.2020	am	(P-15203/92; A-6090)	337.10	n	(P-7999/92; A-1046)
240.2050	am	(P-15203/92; A-6090)	337.20	n	(P-7999/92; A-1046)
302.20	am	(P-7565/92; A-274)	337.30	n	(P-7999/92; A-1046)
302.310	am	(P-2460) (E-2513)	337.40	n	(P-7999/92; A-1046)
304.2	am	(P-7545/92; A-251)	337.50	n	(P-7999/92; A-1046)
309.1	r	(P-7982/92; A-1044)	337.60	n	(P-7999/92; A-1046)
309.2	r	(P-7982/92; A-1044)	337.70	n	(P-7999/92; A-1046)
309.3	r	(P-7982/92; A-1044)	337.80	n	(P-7999/92; A-1046)
309.4	r	(P-7982/92; A-1044)	337.90	n	(P-7999/92; A-1046)
309.5	r	(P-7982/92; A-1044)	337.100	n	(P-7999/92; A-1046)
309.6	r	(P-7982/92; A-1044)	337.110	n	(P-7999/92; A-1046)
309.7	r	(P-7982/92; A-1044)	337.120	n	(P-7999/92; A-1046)
309.8	r	(P-7982/92; A-1044)	337.130	n	(P-7999/92; A-1046)
309.9	r	(P-7982/92; A-1044)	337.140	n	(P-7999/92; A-1046)
309.10	r	(P-7982/92; A-1044)	337.150	n	(P-7999/92; A-1046)
309.11	r	(P-7982/92; A-1044)	337.160	n	(P-7999/92; A-1046)
309.12	r	(P-7982/92; A-1044)	337.170	n	(P-7999/92; A-1046)
309.13	r	(P-7982/92; A-1044)	337.180	n	(P-7999/92; A-1046)
309.14	r	(P-7982/92; A-1044)	337.190	n	(P-7999/92; A-1046)
309.15	r	(P-7982/92; A-1044)	337.200	n	(P-7999/92; A-1046)
309.16	r	(P-7982/92; A-1044)	337.210	n	(P-7999/92; A-1046)
309.17	r	(P-7982/92; A-1044)	337.220	n	(P-7999/92; A-1046)
309.18	r	(P-7982/92; A-1044)	337.230	n	(P-7999/92; A-1046)
309.19	r	(P-7982/92; A-1044)	337.240	n	(P-7999/92; A-1046)
309.20	r	(P-7982/92; A-1044)	337.250	n	(P-7999/92; A-1046)
309.21	r	(P-7982/92; A-1044)	354.1	r	(P-8099)
309.22	r	(P-7982/92; A-1044)	354.2	r	(P-8099)
309.23	r	(P-7982/92; A-1044)	354.3	r	(P-8099)
309.24	r	(P-7982/92; A-1044)	354.4	r	(P-8099)
309.25	am	(P-1259)	354.5	r	(P-8099)
330.6	am	(P-1259)	354.6	r	(P-8099)
335.208	n	(P-6681)	356.5	am	(P-10679)
336.10	n	(P-7963/92; A-1026)	376.1	r	(P-8104)
336.20	n	(P-7963/92; A-1026)	376.2	r	(P-8104)
336.30	n	(P-7963/92; A-1026)	376.3	r	(P-8104)
336.40	n	(P-7963/92; A-1026)	377.2	am	(P-7553/92; A-259)
336.50	n	(P-7963/92; A-1026)	377.4	am	(P-7553/92; A-259)
336.60	n	(P-7963/92; A-1026)	378.1	r	(P-7561/92; A-272)
336.70	n	(P-7963/92; A-1026)	378.2	r	(P-7561/92; A-272)
336.80	n	(P-7963/92; A-1026)	378.3	r	(P-7561/92; A-272)

SAI-53

ILLINOIS REGISTER

Volume 17, Issue #29 SECTIONS AFFECTED INDEX

July 16, 1993

TITLE 89 (CONT'D)

378.4	r	(P-7561/92; A-272)	897.50	n	(E-6886)
402.15	am	(P-11707/92; A-267)	897.60	n	(E-6886)
434.1	am	(P-7115)	1200.10	am	(P-15354/92; A-1137)
434.2	am	(P-7115)	1200.20	am	(P-15354/92; A-1137)
434.3	am	(P-7115)	1200.30	am	(P-15354/92; A-1137)
434.4	am	(P-7115)			(P-7780) (E-8052;
434.5	am	(P-7115)			W-8318) (E-9735)
434.6	am	(P-7115)	1200.40	am	(P-15354/92; A-1137)
434.7	am	(P-7115)	1200.50	am	(P-15354/92; A-1137)
434.8	am	(P-7115)			(P-7780) (E-8052;
434.9	am	(P-7115)			W-8318) (E-9735)
434.10	n	(P-7115)	1200.60	am	(P-15354/92; A-1137)
434.11	#	(P-7115)	1200.70	am	(P-15354/92; A-1137)
434.12	n	(P-7115)			(P-7780) (E-8052;
505.5	am	(P-1731; A-9964)	1200.80	am	E-8318) (E-9735)
505.10	am	(P-1731; A-9964)	1200.100	am	(P-15354/92; A-1137)
505.30	am	(P-1731; A-9964)	1200.110	am	(P-15354/92; A-1137)
505.40	am	(P-1731; A-9964)	1200.110	am	(P-15354/92; A-1137)
505.50	am	(P-1731; A-9964)	1200.110	am	(P-15354/92; A-1137)
505.60	am	(P-1731; A-9964)	1200.110	am	(P-15354/92; A-1137)
505.70	am	(P-1731; A-9964)	1200.110	am	(P-15354/92; A-1137)
505.80	am	(P-1731; A-9964)	1200.110	am	(P-15354/92; A-1137)
525.500	n	(P-947; A-9980)	1200.110	am	(P-15354/92; A-1137)
540.50	n	(P-20088/92; A-6244)	1200.110	am	(P-15354/92; A-1137)
562.20	am	(P-14189/92; A-3895)	1200.110	am	(P-15354/92; A-1137)
562.30	am	(P-14189/92; A-3895)	1200.110	am	(P-15354/92; A-1137)
567.20	am	(P-10403/92; A-149)	1200.110	am	(P-15354/92; A-1137)
567.30	am	(P-10403/92; A-149)	1200.110	am	(P-15354/92; A-1137)
567.100	am	(P-10403/92; A-149)	1200.110	am	(P-15354/92; A-1137)
587.610	n	(P-952; W-3686)	1200.110	am	(P-15354/92; A-1137)
592.50	am	(P-1375; W-3687)	1200.110	am	(P-15354/92; A-1137)
592.80	am	(P-1375; W-3687)	1200.110	am	(P-15354/92; A-1137)
680.300	am	(P-943; A-7230)	1200.110	am	(P-15354/92; A-1137)
685.150	am	(P-18947/92; A-6256)	1200.110	am	(P-15354/92; A-1137)
690.100	am	(P-15065/92; A-3675)	1200.110	am	(P-15354/92; A-1137)
690.200	am	(P-15065/92; A-3675)	1200.110	am	(P-15354/92; A-1137)
690.300	am	(P-15065/92; A-3675)	1200.110	am	(P-15354/92; A-1137)
690.400	am	(P-15065/92; A-3675)	1200.110	am	(P-15354/92; A-1137)
708.300	am	(P-9852) (E-10003)	1200.110	am	(P-15354/92; A-1137)
730.700	r	(P-10397/92; A-425)	1200.110	am	(P-15354/92; A-1137)
827.10	am	(P-77; A-6260)	1200.110	am	(P-15354/92; A-1137)
827.30	am	(P-77; A-6260)	1200.110	am	(P-15354/92; A-1137)
830.50	am	(P-18759/92; A-6248)	1200.110	am	(P-15354/92; A-1137)
897.10	n	(E-6886)	1200.110	am	(P-15354/92; A-1137)
897.20	n	(E-6886)	1200.110	am	(P-15354/92; A-1137)
897.30	n	(E-6886)	1200.110	am	(P-15354/92; A-1137)
897.40	n	(E-6886)	1200.110	am	(P-15354/92; A-1137)

TITLE 92

10.10	am	(P-6418)
10.20	am	(P-6418)
10.30	am	(P-6418)
10.40	am	(P-6418)
10.50	am	(P-6418)
10.60	am	(P-6418)
10.70	am	(P-6418)
10.80	am	(P-6418)
10.90	n	(P-1767; A-9035)
67.10	n	(P-1767; A-9035)
67.20	n	(P-1767; A-9035)
67.30	n	(P-1767; A-9035)
67.40	n	(P-1767; A-9035)
67.50	n	(P-1767; A-9035)
67.60	n	(P-1767; A-9035)
67.70	n	(P-1767; A-9035)
67.80	n	(P-1767; A-9035)
67.90	n	(P-1767; A-9035)
67.100	n	(P-1767; A-9035)
67.110	n	(P-1767; A-9035)
67.120	n	(P-1767; A-9035)
67.130	n	(P-1767; A-9035)
67.140	n	(P-1767; A-9035)
67.150	n	(P-1767; A-9035)
67.160	n	(P-1767; A-9035)
67.170	n	(P-1767; A-9035)
67.180	n	(P-1767; A-9035)
67.190	n	(P-1767; A-9035)
67.200	n	(P-1767; A-9035)
67.210	n	(P-1767; A-9035)
67.220	n	(P-1767; A-9035)
67.230	n	(P-1767; A-9035)
67.240	n	(P-1767; A-9035)
67.250	n	(P-1767; A-9035)
67.260	n	(P-1767; A-9035)
67.270	n	(P-1767; A-9035)
67.280	n	(P-1767; A-9035)
67.290	n	(P-1767; A-9035)
67.300	n	(P-1767; A-9035)
67.310	n	(P-1767; A-9035)
67.320	n	(P-1767; A-9035)
67.330	n	(P-1767; A-9035)
67.340	n	(P-1767; A-9035)
67.350	n	(P-1767; A-9035)
67.360	n	(P-1767; A-9035)
67.370	n	(P-1767; A-9035)
67.380	n	(P-1767; A-9035)
67.390	n	(P-1767; A-9035)
67.400	n	(P-1767; A-9035)
67.410	n	(P-1767; A-9035)
67.420	n	(P-1767; A-9035)
67.430	n	(P-1767; A-9035)
67.440	n	(P-1767; A-9035)
67.450	n	(P-1767; A-9035)
67.460	n	(P-1767; A-9035)
67.470	n	(P-1767; A-9035)
67.480	n	(P-1767; A-9035)
67.490	n	(P-1767; A-9035)
67.500	n	(P-1767; A-9035)
67.510	n	(P-1767; A-9035)
67.520	n	(P-1767; A-9035)
67.530	n	(P-1767; A-9035)
67.540	n	(P-1767; A-9035)
67.550	n	(P-1767; A-9035)
67.560	n	(P-1767; A-9035)
67.570	n	(P-1767; A-9035)
67.580	n	(P-1767; A-9035)
67.590	n	(P-1767; A-9035)
67.600	n	(P-1767; A-9035)
67.610	n	(P-1767; A-9035)
67.620	n	(P-1767; A-9035)
67.630	n	(P-1767; A-9035)
67.640	n	(P-1767; A-9035)
67.650	n	(P-1767; A-9035)
67.660	n	(P-1767; A-9035)
67.670	n	(P-1767; A-9035)
67.680	n	(P-1767; A-9035)
67.690	n	(P-1767; A-9035)
67.700	n	(P-1767; A-9035)
67.710	n	(P-1767; A-9035)
67.720	n	(P-1767; A-9035)
67.730	n	(P-1767; A-9035)
67.740	n	(P-1767; A-9035)
67.750	n	(P-1767; A-9035)
67.760	n	(P-1767; A-9035)
67.770	n	(P-1767; A-9035)
67.780	n	(P-1767; A-9035)
67.790	n	(P-1767; A-9035)
67.800	n	(P-1767; A-9035)
67.810	n	(P-1767; A-9035)
67.820	n	(P-1767; A-9035)
67.830	n	(P-1767; A-9035)
67.840	n	(P-1767; A-9035)
67.850	n	(P-1767; A-9035)
67.860	n	(P-1767; A-9035)
67.870	n	(P-1767; A-9035)
67.880	n	(P-1767; A-9035)
67.890	n	(P-1767; A-9035)
67.900	n	(P-1767; A-9035)
67.910	n	(P-1767; A-9035)
67.920	n	(P-1767; A-9035)
67.930	n	(P-1767; A-9035)
67.940	n	(P-1767; A-9035)
67.950	n	(P-1767; A-9035)
67.960	n	(P-1767; A-9035)
67.970	n	(P-1767; A-9035)
67.980	n	(P-1767; A-9035)
67.990	n	(P-1767; A-9035)
68.000	n	(P-1767; A-9035)
68.010	n	(P-1767; A-9035)
68.020	n	(P-1767; A-9035)
68.030	n	(P-1767; A-9035)
68.040	n	(P-1767; A-9035)
68.050	n	(P-1767; A-9035)
68.060	n	(P-1767; A-9035)
68.070	n	(P-1767; A-9035)
68.080	n	(P-176

ILLINOIS REGISTER

Volume 17, Issue #29			SECTIONS AFFECTED INDEX		July 16, 1999	
TITLE 92 (CONT'D)						
77.30	n	(P-1789; A-9057)	700.10	n	(P-17235/92; A-4484)	
77.40	n	(P-1789; A-9057)	700.20	n	(P-17235/92; A-4484)	
77.50	n	(P-1789; A-9057)	700.30	n	(P-17235/92; A-4484)	
77.60	n	(P-1789; A-9057)	700.40	n	(P-17235/92; A-4484)	
77.70	n	(P-1789; A-9057)	700.50	n	(P-17235/92; A-4484)	
77.80	n	(P-1789; A-9057)	700.60	n	(P-17235/92; A-4484)	
77.90	n	(P-1789; A-9057)	700.70	n	(P-17235/92; A-4484)	
77.100	n	(P-1789; A-9057)	700.80	n	(P-17235/92; A-4484)	
77.110	n	(P-1789; A-9057)	700.90	n	(P-17235/92; A-4484)	
77.120	n	(P-1789; A-9057)	700.100	n	(P-17235/92; A-4484)	
77.130	n	(P-1789; A-9057)	700.110	n	(P-17235/92; A-4484)	
77.140	n	(P-1789; A-9057)	704.10	n	(P-17244/92; A-4494)	
77.Ex.A	n	(P-1789; A-9057)	704.20	n	(P-17244/92; A-4494)	
440.520	am	(P-15835/92; A-3530)	704.30	n	(P-17244/92; A-4494)	
442.435	am	(P-15845/92; A-3540)	704.40	n	(P-17244/92; A-4494)	
451.10	am	(P-3110)	704.50	n	(P-17244/92; A-4494)	
451.15	am.#	(P-3110)	704.60	n	(P-17244/92; A-4494)	
451.20	am	(P-3110)	704.70	n	(P-17244/92; A-4494)	
451.25	am	(P-3110)	704.80	n	(P-17244/92; A-4494)	
451.50	#	(P-3110)	704.90	n	(P-17244/92; A-4494)	
451.60	am	(P-3110)	704.100	n	(P-17244/92; A-4494)	
451.70	am	(P-3110)	704.110	n	(P-17244/92; A-4494)	
451.80	am	(P-3110)	704.120	n	(P-17244/92; A-4494)	
451.90	am	(P-3110)	704.130	n	(P-17244/92; A-4494)	
451.100	am	(P-3110)	704.140	n	(P-17244/92; A-4494)	
451.110	am	(P-3110)	704.150	n	(P-17244/92; A-4494)	
451.120	am	(P-3110)	704.Ap.A	n	(P-17244/92; A-4494)	
451.130	am	(P-3110)	1001.10	am	(P-19761/92; A-6274)	
451.140	am	(P-3110)	1001.20	am	(P-19761/92; A-6274)	
451.150	am	(P-3110)	1001.100	am	(P-19761/92; A-6274)	
451.160	am	(P-3110)	1001.110	am	(P-19761/92; A-6274)	
451.Ap.F	am	(P-3110)	1001.220	am	(P-19761/92; A-6274)	
451.II.C	n	(P-3110)	1001.300	am	(P-19761/92; A-6274)	
451.II.D	n	(P-3110)	1001.310	am	(P-19761/92; A-6274)	
453.10	n	(P-2186; A-8563)	1001.320	am	(P-19761/92; A-6274)	
453.20	n	(P-2186; A-8563)	1001.330	am	(P-19761/92; A-6274)	
453.30	n	(P-2186; A-8563)	1001.340	am	(P-19761/92; A-6274)	
522.20	am	(P-981; A-7258)	1001.350	am	(P-19761/92; A-6274)	
522.30	am	(P-981; A-7258)	1001.360	am	(P-19761/92; A-6274)	
522.50	am	(P-981; A-7258)	1001.400	am	(P-19761/92; A-6274)	
522.80	am	(P-981; A-7258)	1001.410	am	(P-19761/92; A-6274)	
522.120	am	(P-981; A-7258)	1001.420	am	(P-19761/92; A-6274)	
522.130	r	(P-981; A-7258)	1001.430	am	(P-19761/92; A-6274)	
522.130	n	(P-981; A-7258)	1001.440	am	(P-19761/92; A-6274)	
522.150	am	(P-981; A-7258)	1001.450	am	(P-19761/92; A-6274)	
522.200	am	(P-981; A-7258)	1001.460	am	(P-19761/92; A-6274)	
522.210	am	(P-981; A-7258)	1001.470	am	(P-19761/92; A-6274)	
522.II.J	n	(P-981; A-7258)	1001.485	am	(P-19761/92; A-6274)	

ILLINOIS REGISTER

Volume 17, Issue #29	SECTIONS AFFECTED	INDEX	July 16, 1999
TITLE 92 (CONT'D)			
1001.500 n	(P-1758; A-8528) (E-2047)	1375.1160 r	(P-8635) (P-8635)
1001.510 n	(P-1758; A-8528) (E-2047)	1375.2010 r	(P-8635)
1001.520 n	(P-1758; A-8528) (E-2047)	1375.2030 r	(P-8635)
1001.530 n	(P-1758; A-8528) (E-2047)	1375.2040 r	(P-8635)
1001.540 n	(P-1758; A-8528) (E-2047)	1375.2050 r	(P-8635)
1030.16 n	(P-956; A-8275) (E-1219) (P-1752; A-8522)	1375.2060 r	(P-8635)
1030.17 n	(P-956; A-8275) (E-1219) (P-17229/92; A-2025)	1375.2070 r	(P-8635)
1030.18 n	(P-956; A-8275) (E-1219) (P-12138/92; A-7065)	1375.2080 r	(P-8635)
1030.115 am	(P-12138/92; A-7065) (P-12138/92; A-7065)	1375.3010 r	(P-8635)
1030.120 am	(P-12138/92; A-7065) (P-2128)	1375.3020 r	(P-8635)
1030.130 am	(P-12138/92; A-7065) (P-1747; A-8512)	1375.3030 r	(P-8635)
1040.20 am	(P-1747; A-8512) (P-285; A-90286)	1375.4010 r	(P-8635)
1040.101 am	(P-285; A-90286) (P-2863; A-8517)	1375.5010 r	(P-8635)
1040.102 n	(P-2863; A-8517) (P-9167)	1375.6010 r	(P-8635)
1070.100 am	(P-9167) (P-1685)	1375.6020 r	(P-8635)
1236.10 n	(P-1685) (P-8635)	1375.6030 r	(P-8635)
1360.40 am	(P-8635) (P-8635)	1375.7010 r	(P-8635)
1375.10 r	(P-8635) (P-8635)	1375.7020 r	(P-8635)
1375.15 r	(P-8635) (P-8635)	1375.7030 r	(P-8635)
1375.20 r	(P-8635) (P-8635)	1375.7040 r	(P-8635)
1375.30 r	(P-8635) (P-8635)	1375.7050 r	(P-8635)
1375.40 r	(P-8635) (P-8635)	1375.7060 r	(P-8635)
1375.50 r	(P-8635) (P-8635)	1375.7070 r	(P-8635)
1375.60 r	(P-8635) (P-8635)	1375.7080 r	(P-8635)
1375.70 r	(P-8635) (P-8635)	1375.7090 r	(P-8635)
1375.80 r	(P-8635) (P-8635)	1375.7100 r	(P-8635)
1375.85 r	(P-8635) (P-8635)	1375.7110 r	(P-8635)
1375.1000 r	(P-8635) (P-8635)	1375.7120 r	(P-8635)
1375.1010 r	(P-8635) (P-8635)	1375.7130 r	(P-8635)
1375.1020 r	(P-8635) (P-8635)	1375.7140 r	(P-8635)
1375.1030 r	(P-8635) (P-8635)	1375.7150 r	(P-8635)
1375.1040 r	(P-8635) (P-8635)	1375.7160 r	(P-8635)
1375.1050 r	(P-8635) (P-8635)	1375.7170 r	(P-8635)
1375.1060 r	(P-8635) (P-8635)	1375.7175 r	(P-8635)
1375.1070 r	(P-8635) (P-8635)	1375.7180 r	(P-8635)
1375.1080 r	(P-8635) (P-8635)	1375.7190 r	(P-8635)
1375.1090 r	(P-8635) (P-8635)	1375.7200 r	(P-8635)
1375.1100 r	(P-8635) (P-8635)	1375.7210 r	(P-8635)
1375.1110 r	(P-8635) (P-8635)	1375.7220 r	(P-8635)
1375.1120 r	(P-8635) (P-8635)	1375.7230 r	(P-8635)
1375.1130 r	(P-8635) (P-8635)	1375.7240 r	(P-8635)
1375.1140 r	(P-8635) (P-8635)	1375.7250 r	(P-8635)
1375.1150 r	(P-8635) (P-8635)	1375.8100 r	(P-8635)
		1375.8110 r	(P-8635)
		1375.8120 r	(P-8635)
		1375.8130 r	(P-8635)

ILLINOIS REGISTER
Volume 17, Issue #29
SECTIONS.AFFECTED INDEX
July 16, 1993

TITLE 92 (CONT'D)
2520.602 r (P-566; A-8536)
2520.603 r (P-566; A-8536)
2520.604 r (P-566; A-8536)

ILLINOIS REGISTER
Volume 17, Issue #29
SECTIONS.AFFECTED INDEX
July 16, 1993

TITLE 92 (CONT'D)
1375.8140 r (P-8635) 2520.219 n (P-542; A-8539)
1376.10 n (P-8630) 2520.219 r (P-566; A-8536)
1376.20 n (P-8630) 2520.220 n (P-542; A-8539)
1376.30 n (P-8630) 2520.220 r (P-566; A-8536)
1376.40 n (P-8630) 2520.221 n (P-542; A-8539)
2520.26 r (P-566; A-8536) 2520.221 r (P-566; A-8536)
2520.105 n (P-542; A-8539) 2520.222 n (P-542; A-8539)
2520.105 r (P-566; A-8536) 2520.222 r (P-566; A-8536)
2520.110 n (P-542; A-8539) 2520.223 n (P-542; A-8539)
2520.110 r (P-566; A-8536) 2520.223 r (P-566; A-8536)
2520.200 n (P-542; A-8539) 2520.224 r (P-542; A-8539)
2520.200 r (P-566; A-8536) 2520.224 r (P-566; A-8536)
2520.201 n (P-542; A-8539) 2520.225 n (P-542; A-8539)
2520.201 r (P-566; A-8536) 2520.225 r (P-566; A-8536)
2520.202 n (P-542; A-8539) 2520.226 n (P-542; A-8539)
2520.202 r (P-566; A-8536) 2520.226 r (P-566; A-8539)
2520.203 n (P-542; A-8539) 2520.300 n (P-542; A-8539)
2520.203 r (P-566; A-8536) 2520.300 r (P-566; A-8536)
2520.204 n (P-542; A-8539) 2520.301 n (P-542; A-8539)
2520.204 r (P-566; A-8536) 2520.301 r (P-566; A-8536)
2520.205 n (P-542; A-8539) 2520.302 n (P-542; A-8539)
2520.205 r (P-566; A-8536) 2520.302 r (P-566; A-8536)
2520.206 n (P-542; A-8539) 2520.303 n (P-542; A-8539)
2520.206 r (P-566; A-8536) 2520.303 r (P-566; A-8536)
2520.207 n (P-542; A-8539) 2520.304 n (P-542; A-8539)
2520.207 r (P-566; A-8536) 2520.304 r (P-566; A-8536)
2520.208 n (P-542; A-8539) 2520.305 n (P-542; A-8539)
2520.208 r (P-566; A-8536) 2520.305 r (P-566; A-8536)
2520.209 n (P-542; A-8539) 2520.400 n (P-542; A-8539)
2520.209 r (P-566; A-8536) 2520.400 r (P-566; A-8536)
2520.210 n (P-542; A-8539) 2520.401 n (P-542; A-8539)
2520.210 r (P-566; A-8536) 2520.401 r (P-566; A-8536)
2520.211 n (P-542; A-8539) 2520.402 n (P-542; A-8539)
2520.211 r (P-566; A-8536) 2520.402 r (P-566; A-8536)
2520.212 n (P-542; A-8539) 2520.403 n (P-542; A-8539)
2520.212 r (P-566; A-8536) 2520.403 r (P-566; A-8536)
2520.213 n (P-542; A-8539) 2520.404 r (P-542; A-8539)
2520.213 r (P-566; A-8536) 2520.404 r (P-566; A-8536)
2520.214 n (P-542; A-8539) 2520.405 r (P-542; A-8539)
2520.214 r (P-566; A-8536) 2520.405 r (P-566; A-8536)
2520.215 n (P-542; A-8539) 2520.406 n (P-542; A-8539)
2520.215 r (P-566; A-8536) 2520.406 r (P-566; A-8536)
2520.216 n (P-542; A-8539) 2520.500 n (P-542; A-8539)
2520.216 r (P-566; A-8536) 2520.500 r (P-566; A-8539)
2520.217 n (P-542; A-8539) 2520.501 n (P-542; A-8539)
2520.217 r (P-566; A-8536) 2520.501 r (P-566; A-8539)
2520.218 n (P-542; A-8539) 2520.502 n (P-542; A-8539)
2520.218 r (P-566; A-8536) 2520.502 r (P-566; A-8539)
2520.219 n (P-542; A-8539) 2520.503 n (P-542; A-8539)
2520.219 r (P-566; A-8536) 2520.503 r (P-566; A-8539)
2520.220 n (P-542; A-8539) 2520.600 n (P-542; A-8539)
2520.220 r (P-566; A-8536) 2520.600 r (P-566; A-8536)
2520.221 n (P-542; A-8539) 2520.601 r (P-542; A-8539)
2520.221 r (P-566; A-8536) 2520.601 r (P-566; A-8536)